





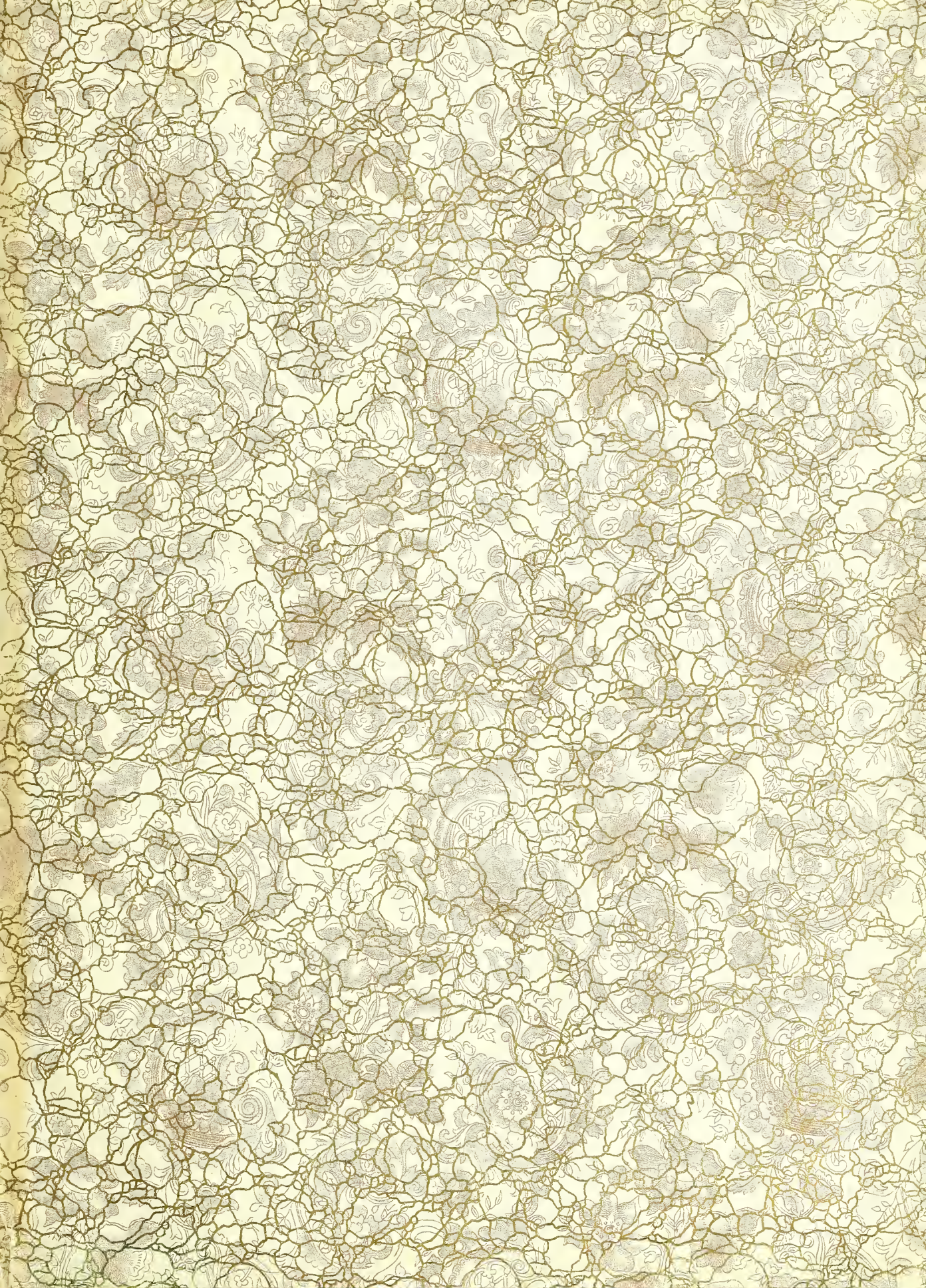


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*Helen Fitzgerald Sanders*

A HISTORY  
OF  
MONTANA

BY  
HELEN FITZGERALD SANDERS

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VOLUME I

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ILLUSTRATED

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HELEN FITZGERALD SANDERS

TO  
WILBUR FISK SANDERS

*Pioneer, Vigilante and Statesman*

to whose dauntless courage and unimpeachable integrity Montana owes  
an everlasting debt of gratitude, this book is affectionately dedicated.

HELEN FITZGERALD SANDERS







## INTRODUCTION

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The preparation of the History of Montana has been a work of magnitude. Perhaps no state in the Union has had a more romantic or varied past, nor a sterner struggle for the establishment and maintenance of its institutions. The sources of original information are difficult to obtain, but I hold myself peculiarly fortunate in this respect. I have had access not only to the archives of the library of the Historical and Miscellaneous Library of the state, of which Judge W. Y. Pemberton is librarian, but I have also had the use of the papers, manuscripts and private collection of documents of the late Colonel W. F. Sanders, the manuscript journal of J. X. Beidler and many other rare and valuable records.

With this material and the information gleaned from pioneers and representative citizens of the state today, I have endeavored to write a faithful and unbiased history of Montana from the time of the *Sieur de la Vérendrye* to the present. The more modern phases of our social and political life have been difficult to portray. The actors in the state's great drama, however sincere in the support of their respective parties or principles, differ as widely as the poles. Nevertheless, I have earnestly tried to give an unprejudiced account of the tremendous crises which divided our citizens into bitter factions and plunged the state into temporary confusion and turmoil. The history of the living is almost impossible to write. We need the cold and impartial perspective of time to weigh, adjust and judge.

I owe a debt of everlasting gratitude to the many able men and women who have furnished me information, aid and encouragement in this work. Individual acknowledgement is made to each in its proper place.

In presenting this history of Montana to the people of the state, I do so trusting that it will fill a long felt need and that it will help to perpetuate the story of that which is destined to become a great commonwealth.

HELEN FITZGERALD SANDERS.





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# HISTORY OF MONTANA

## CHAPTER I

### NAME—BOUNDARIES—TOPOGRAPHY—CLIMATE—SCENERY

The name Montana, of Latin origin, and meaning mountainous, was given to the infant commonwealth in 1860 at the suggestion of James M. Ashley, who afterwards became one of its territorial governors. The name was a happy conception, being at once euphonious and descriptive of the rugged country it was destined to designate.

Montana is one of the northwestern states. It lies immediately south of Canada; the Dakotas border it to the east, Idaho and Wyoming to the south and the state of Idaho forms its western boundary.

In point of size Montana is the third largest state in the Union. Only Texas and California are greater in extent. Its land area is about 146,201 square miles. From east to west it is approximately 550 miles and 275 miles from north to south. A better idea of its enormous extent may be gained when compared with other states and groups of states. New York, Pennsylvania, Ohio and Maryland combined have an area just about equal to that of Montana. A few of its counties are larger than states. If we go farther afield for comparisons we shall see that Montana, an empire in itself, exceeds in size England, Wales, Scotland and Ireland. This vast and rich country is but sparsely populated, having only about 400,000 inhabitants.

The main range of the Rocky mountains in Indian phrase "The Backbone of the World" sweeps across the state from northwest to southeast, roughly dividing it into eastern and western sections, the physical characteristics

of which are essentially different. The eastern portion which composes fully two-thirds of the area of the state is a high plateau of moderate altitude consisting mostly of valleys and broad prairies, broken now and again by rolling hills and characteristic "buttes" or isolated conical hills. The southern and eastern portions of the plateau are somewhat rugged and broken by spurs of the Rocky mountains. The principal ranges, however, are in the west.

Considering the fact that Montana is a Rocky mountain state its general elevation is comparatively low. Professor Gannett of the United States Geological Survey says in his report that "the average elevation of Montana above sea level is 3,900 feet. The average elevations of other states in this section are given as follows: Nevada, 5,600 feet; Wyoming, 6,400; Colorado, 7,000 feet. Below an elevation of 4,000 feet Utah has no square miles, Colorado has only 9,000, while Montana has 51,600. Below 3,000 feet in altitude are 40,700 square miles within Montana. "Taking the area of the state (Montana) as a whole," says U. S. Census Bulletin 153, "it has been ascertained that 49 per cent is under 5,000 feet above sea level; 21 per cent from 5,000 to 6,000 feet; 14 per cent from 6,000 to 7,000 feet; 9 per cent from 7,000 to 8,000 feet and 7 per cent over 8,000 feet." The elevation at Helena, the capital of Montana, which is located at the base of the Continental Divide, is 4,110 feet. Salt Lake City has an elevation of 4,350 feet; Denver of 5,300 feet and Santa Fe of 6,840 feet."



The mountain passes are generally low and of easy access. Mullan Pass where the Northern Pacific crosses the Continental Divide is 5,547 feet above the sea level. The highest point on the Great Northern Railway is 5,202 feet and Donald, the greatest altitude reached by the Chicago, Milwaukee and St. Paul, is 6,332 feet.

It is interesting to note that the Great Northern tracks extend for 475 miles across the eastern portion of Montana before crossing the Continental Divide, in that distance climbing from 1,922 to 5,202 feet. The Northern Pacific road from the eastern boundary line to Mullan Pass traverses 516 miles, and the Chicago, Milwaukee and St. Paul 504 miles before passing through the tunnel which takes them from the Atlantic to the Pacific slope. At the eastern and western boundary lines the railroad tracks are at an elevation of approximately 2,000 feet. In the western part of the state the Northern Pacific tracks follow the Coeur d'Alene mountains running along Clark's Fork river, finally leaving Montana at an altitude of about 2,200 feet. The Great Northern Railway follows the banks of the Kootenai river and crosses the western boundary at an elevation of a little more than 1,800 feet. The Chicago, Milwaukee and St. Paul ascends the Coeur d'Alene range and crosses it with only a slight deviation from its westward course.

These figures will show the fortunate place that Montana occupies among her sister states of the Rocky mountains.

The chief feature of the physical geography of Montana is the main range of the Rocky mountains which, as we have seen, divides it into two parts of unequal size and different topographical and climatic features, and is the continental watershed that separates the streams flowing to the Atlantic and Pacific oceans. Robert H. Chapman, the noted geologist and topographer says:

"The main Rocky mountain mass is actually made up of two principal ranges, generally parallel with axes in a northwesterly and southwesterly direction, the easternmost of which is the Lewis range, which extends but

a short distance across the Canadian boundary. The western, or Livingston range, persists much farther northward. At a point about eleven miles south of Canada it becomes the watershed of the Continental Divide, which has previously followed the ridge of the Livingston range."

The range is rugged in contour, and vast in extent with many spurs, buttresses and lesser ranges. Magnificent pinnacles and peaks, cloaked with eternal snow, encrusted with glacial ice, mark its serrated outline. Nevertheless, the mountains of Montana, though equally noble in form are not so lofty as those of Colorado.

Beginning with the Continental Divide we shall consider in their regular order, first from the divide eastward, then from the divide westward, the chief spurs and offspring mountains of the mother range. Most of these sub-ranges also have a general northwest-southeast trend. The Hudson Bay Divide is in the extreme northern section and immediately east of the Continental Divide. The Big Belt mountains rise in the central portion of the state and parallel the main range; to the east of them is Bird Tail Divide; to the south are the Tobacco Root mountains, the Ruby, the Madison, the Gallatin and the Bridger ranges. East of the Big Belt range and also in central Montana are Teton Ridge, the Little Belt and Belt ranges. To the south of them are the Crazy mountains. North and east are the Highwood mountains. To the south are the Cayuse hills and the Absaroka range. The Big Snowy mountains rise east of the Little Belt range, and to the north are South Moccasin and Judith mountains. Northeast of them are the Sweet Grass hills, Bear Paw and Little Rocky mountains. Piny Buttes rise in the central eastern part of the state. The Wolf, the Beartooth, the Pryor and the Rosebud mountains are all in the southern section and the Big Horn range just crosses the southern border from Wyoming. There are besides these principal ranges many considerable hills and buttes.

West of the Continental Divide are the Kootenai mountains and in the extreme north-

ern part of the state is Whitefish range; contiguous to this and extending southward is the Flathead range. Parallel to and west of the latter are the majestic Sin-Yal-Min or Mission mountains. In the northwest is the Purcell range; south of it are the Cabinet mountains and, finally forming the western boundary of Montana from 48 degrees south is the tremendous barrier of the Bitter Root mountains.

Montana is the birthplace of rivers. In the high altitudes of its mountain systems vast deposits of snow and glacial ice are held which feed countless streams. On Triple Divide mountain in Glacier National Park, three streams rise which flow to Hudson's bay, to the Gulf of Mexico and the Pacific ocean. From another peak of the Rocky mountains issue streams that find their diverse ways to the North Pacific ocean, the Gulf of California and the Gulf of Mexico. Bancroft says that within a day's ride the traveler may behold "the sources of the three great arteries of the territory owned by the United States,—the Missouri, the Colorado and the Columbia."

The Missouri river, which, with the Yellowstone, drains the eastern part of the state, is formed by the conjunction of the Gallatin, Madison and Jefferson rivers at Three Forks. It is said to be the longest river in the world and is about 4,600 miles from its source to the sea. Thomas P. Roberts gives an interesting account of a reconnoissance made in 1872.

He was ordered to examine the Upper Missouri from the Three Forks to Fort Benton, with the object of ascertaining its "capability for navigation by light-draught steamers." That region had been practically unexplored since the journey of Lewis and Clark in 1805. General Reynolds, in his military explorations in 1860, penetrated this section, but as Roberts observes, he traveled by land downward to Fort Benton and owing to the conformation of the country, was compelled to make wide detours from the river, so that glimpses of it only were obtainable. It was true likewise of the gold seekers. Few of them, if any, pursued the rugged way of the great river and those sporadic explorers who had dared its reefs and rapids, left no record of their thrill-

ing adventures. Therefore, the account of Roberts is peculiarly valuable and interesting. He says, in part:

"The junction of the Gallatin, Madison, and Jefferson rivers—which streams from the Missouri proper—is effected in a basin or valley some fifteen or twenty miles in diameter, with mountains in full view west, south, and east, varying in altitude from two thousand to four thousand feet or more above the plain, the plain itself being about four thousand feet above the sea. Some presented a denuded appearance, while others were well timbered, and though it was late in July, their highest summits and gorges were still streaked with silvery lines of snow.

"It is difficult to determine from which points of the compass the three rivers debouch, though from the top of the bluffs at the exit passage of the united rivers, which almost deserves to be called a canyon, there is a fine view of their meanderings. The courses of the streams, with their numerous cut-offs and sloughs, are marked by graceful belts and lines of cottonwood and black alder, by islands clothed with the richest verdure, and by groves and jungles of the wild currant; but by far the greater portion of this immense park is open and covered with varieties of the rich bunch-grass, for which Montana is celebrated. The sheen of the sparkling waters seen through openings of timber among the islands and channels, with the soft shadowy forms of the silvery rimmed mountains in the distance surrounding the landscape, formed in the long twilight \* \* \* a beautiful and enchanting picture.

"While here, we gauged the volume of the rivers, not only to discover which of the three was the largest or parent stream (a point that had never before been definitely determined), but also to ascertain how much water there was to deal with at that season of the year, for the purposes of navigation.

"When we began the reconnoissance, the streams were about four feet below the high-water mark, and according to the statement of the old ferryman, only eight inches above the lowest water-mark. It is one of the most

striking characteristics of the Upper Missouri, and the same may be said of nearly all the Montana streams, that they never overflow their banks to any extent, and that they are more regular and unfailing in their discharge than streams of equal annual flowage in the United States east of the Mississippi river. This equable flowage is due almost entirely to the regularity of the melting of the snow in the highest regions of the mountains, from which source their principal supply is drawn.

"We found that the Jefferson discharged two hundred and twenty-six thousand seven hundred and twenty-eight cubic feet per minute, the Madison one hundred and sixty thousand two hundred and seventy-seven, and the Gallatin one hundred and twenty-five thousand four hundred and eighty. There can, therefore, be but little doubt that the Jefferson is the father of the Missouri, which fact makes it, by fair inference, the grandfather of the Mississippi, a distant but noble relative.

"Adding these figures together, we have a total flowage of five hundred and twelve thousand four hundred and eight cubic feet per minute for the Upper Missouri at the Three Forks. Reducing their quantity to the lowest stage known, there will remain over three hundred thousand cubic feet per minute in the Missouri at this point, which is three times the volume of the Ohio at Pittsburg when at its lowest stage.

"The length of this wonderful watercourse, the Missouri, can be best appreciated when it is considered that we were here camped two hundred and fifty miles below the extreme heads of the Jefferson, and about the same distance above Fort Benton. Fort Benton is not less than two thousand nine hundred miles above St. Louis, which city is still twelve hundred miles above the mouth of the river.

"The entire length of the river is not less than four thousand six hundred miles, some geographies to the contrary notwithstanding, they variously estimating its length to be from four thousand to four thousand three hundred miles. Returning to the Jefferson—a large island at its mouth divides the stream, and in exploring it a mile above our camp we dis-

covered where its waters first mingle with those of the Madison. I note this particular junction because I never before saw streams unite in the same manner. They run with swift current five or six feet deep, and some two hundred feet wide, directly toward each other and thence at a right angle their united volume, agitated with the rude contact, rushes northward.

"The meeting of the currents created great swirls in the water, which nearly swamped our boat when we attempted to shoot through. A basin seems to have been scoured out in the gravel bottom by the action of the stream, the depth of which we were unable to ascertain with either pole or line."

A very interesting narrative of the journey is given which is too long for our purposes to quote. The following description of the falls of this river near Great Falls is worthy of attention:

"The sun of the evening of August 6th was just dropping below the horizon as we approached Sun river. We had nearly despaired of reaching the falls that day, and had in fact passed the mouth of Sun river, mistaking its channel for an entrance to some island chute, when the roar of tumbling waters greeted our ears. We hurriedly pulled in to the left bank and found ourselves at the first rapids of the series that extends for twenty miles down the stream. For several miles the country appeared to be rolling, with not a tree or bush in the range of vision.

"We had now completed the reconnoissance of the Upper Missouri river; but a description of the falls, knowing that they have been as yet seldom visited, can not be inappropriate at this time. \* \* \*

"The steep bluffs, banks and ravines along the "falls," near the upper end, show signs of cloud-bursts in places, the earth being moved bodily down the gulches, as though it has been suddenly washed from its former position. Captain Lewis writes that, having taken shelter in one of these ravines from an approaching storm, he was nearly drowned, as was also an Indian woman and child, by the sudden rising of the water to the depth



of seven feet, which came down the previously dry ravine in the space of a few minutes. The marks of the deluge are plainly distinct to this day.

"Two days were occupied in journeying along the falls, while the wagon slowly proceeded on the plains, several miles distant, where the trail was better, overlooking the bluffs. These bluffs maintain nearly the same general elevation all along, while the river cutting deeper and deeper into the plains as it descends, causes them to appear relatively higher as we descend the valley.

"The first considerable fall occurs about three miles below Sun river, where the descent is twenty-six feet vertically. On a little island, below these falls, stands a portion of a large cottonwood tree, the top apparently having been blown off. Among the branches still remaining is a black eagle's nest. When I first approached the place, riding, and appeared on the bluff above it, an old eagle sailed out directly toward me and soared immediately over my head, so close that I became almost alarmed for the safety of my hat. After a moment's survey it alighted on a jutting rock within a hundred feet of me, where it remained, until one of the men coming up, discharged a pistol at it, before I could stop him. He missed the eagle. As I had a good opportunity to judge the age of the bird, his feathers being soiled, torn, and otherwise old looking, I came to the conclusion that probably he was the same eagle, whose nest in the same position, on the same island, was seen by Lewis and Clark in 1805. General Reynolds, who visited the spot in 1860, also saw the eagle and nest, and notes in his report his belief of its identity. The sight of this eagle was to me one of the most peculiarly pleasant incidents of our reconnoissance.

"Below these falls are rapids of nine and a half feet fall, followed at intervals by others of four, three, and two feet fall respectively; then a cascade of fourteen feet, all in a distance of less than five miles.

"Immediately below the cascade is a grand fall of nearly fifty feet descent, as stated by Lewis and Clark. The entire river, over nine

hundred feet wide, pitches over a rim of rock, shaped like the segment of a circle, in one unbroken sheet. The noise, the sprays, and the rainbows were not much short of the grandest displays of Niagara.

"Six miles farther down brings us to the 'Great Falls,' where the river jumps, with one bound, a depth of ninety feet. It is, however, only at the right bank that the descent is vertical, the other half of the river passing by steps over the ledges ten feet or more at a time. No foot-hold for man or beast exists by the edge of the Great Falls.

"We had to pass around by climbing up the cliffs and around the head of a deeply cut ravine that opens down to the river. A good view is to be had of it from the cliff, or from a rocky point that stands out below to mid-river in the vast amphitheater just under and below the falls.

"Around the turn, above the Great Falls a short distance, is a cataract or cascade of thirteen feet declivity. Looking up the river, it has exactly the appearance of a broken down dam stretching from shore to shore, with the abutments and seeming lock-walls on the left well preserved.

"Below the old lock, in mid-river, stands the 'Devil's Cardtable,' a slab about fifteen feet or more square, and ten feet or more above the water, worn away so evenly underneath that it is left balanced on a single pedestal scarcely a foot in diameter. The waves dash against it so forcibly that one feels tempted to await its fall.

"Five miles below the Great Falls is the last of the rapids, the entire descent of the river through the falls being two hundred and ninety-three feet.

"Standing upon the pebbly shore of the stream and watching the clear water flowing swiftly by, it is curious to contemplate the vast extent and variety of country and climate it traverses ere it is lost in the immense volume discharging by the different mouths of the Mississippi four thousand miles away, to be pumped up by evaporation from the Gulf of Mexico, and returned by the clouds to the slopes and summits of the Rocky moun-

tains, to begin again the round of eight thousand miles.

"Four thousand miles from the sea! Yet navigable for large steamers. Truly this is the Father of Waters!

"The entire length of the Mississippi, from the junction to its source in the State of Minnesota, is but seventeen hundred miles, while from the junction of the sources of the Missouri, in Montana, it is three thousand five hundred miles, being more than double as long.

"The area of the water-shed of the Mississippi, above the junction, is only about two hundred thousand square miles; while the water-shed of the Missouri, above the junction, covers more than five hundred thousand square miles.

"As a whole the vast basin of the two streams, added to that of the main stem extending to the Gulf of Mexico, embracing about one million five hundred thousand square miles, covering about half the area of the United States and Territories, is the most remarkable on the globe, in the extent and character of its navigable waters; in the magnitude and value of its agricultural and mineral resources; in the variety and general salubrity of its climates, ranging from the cold regions of latitude forty-nine degrees to the genial temperature of the sunny south, in latitude thirty degrees; and, finally, in its wonderful capability of future development for the habitation of more than one hundred million of an industrious population, engaged in all the various employments which are found among the most advanced nations."

As we have seen, the sources of the Missouri river are the Jefferson, the Gallatin and the Madison. These streams were named by Lewis and Clark. One of our prominent jurists and students of Montana's history writes:

"In the latter part of July, 1805, Meriwether Lewis, a nephew of the president of the United States, and William Clark, a brother of General George Rogers Clark, with the government expedition under their command, were camped at the three forks of the

Missouri. After a brief survey of the surrounding country they rejoiced as with a feeling of triumph. One of the principal objects of their exploration was accomplished; they had reached the virtual head of the Missouri. Desiring to honor the great men who projected the expedition and realizing their own positions as makers of history they decided to give to the three streams names worthy of their importance. The left one they called Gallatin, for Albert Gallatin, secretary of the treasury, and one of Jefferson's principal supporters. It was difficult to decide which of the other two was the larger; they were found to be 'ninety yards wide and so perfectly similar in character and appearance that they seem to have been formed in the same mould.' Lewis and Clark finally decided the right branch to be the largest of the three and to this they gave the name of Jefferson, and called the middle one Madison, after James Madison, secretary of state.

"In accordance with their judgment that Jefferson was the largest of the three streams and thinking it would be navigable for a longer distance, in which they were correct, they followed it. When they came to Willow creek, which runs through the present counties of Madison and Gallatin, they called it the Philosophy river, attributing that quality to Jefferson and desiring to name the principal tributaries of that river according to the attributes which they ascribed to their hero. When they came to the junction of what is now called the Beaverhead and Big Hole rivers, they called the northwest one (Big Hole) the Wisdom river, still having in mind Jefferson's characteristics. It is a great pity that the name Wisdom river has not been retained instead of the ugly and meaningless name of Big Hole.

"On August 8th they came to the mouth of the Ruby river which they called the Philanthropy. This river they described as a 'handsome little river, about thirty yards wide, which winds through the valley; the current is not rapid nor the water very clear.' They observed, 'from its size and its south-

easterly course we presume it rises in the Rocky mountains near the source of the Madison.' The middle fork of the three streams which form the Jefferson, now called the Beaverhead, they continued to call Jefferson. This river they found 'about forty-five yards wide the water of which has a bluish tinge, with a gentle current, and a gravelly bottom.' It is interesting to note, in passing that they called Wisconsin creek Turf creek from the its waters. In the narrative the descriptions number of bogs, and the quantity of turf on of these rivers and streams are so accurate that anyone acquainted with the country will recognize them readily."

Lewis and Clark traced the western fork of the Jefferson up Shoshone Cave to that which they believed to be its ultimate beginning. However as Dr. Elliott Coues observes, Captain Lewis would have been obliged to travel many miles to the east of this spring, "at the highest fountain which feeds Red Rock lake, near the Yellowstone Park" in order to verify his statement literally, Captain Lewis writes:

"At the distance of 4 miles further the road took us to the most distant fountain of the waters of the mighty Missouri in search of which we have spent so many toilsome days and restless nights. Thus far I have accomplished one of those great objects on which my mind had been unalterably fixed for many years, judge then of the pleasure I felt in allaying my thirst with this pure and ice-cold water which issues from the base of a low mountain or hill of a gentle ascent for one-half a mile. The mountains are high on either hand (but) leave this gap at the head of this rivulet through which the road passes. Here I halted a few minutes and rested myself. Two miles below McNeal had exultingly stood with one foot on each side of this little rivulet and thanked his God that he had lived to bestride the mighty and heretofore deemed endless Missouri."

The Missouri also receives from the north, the Boulder river which drains most of Jefferson county. The Big Hole basin, the Beaver-

head valley, the Ruby valley and the Jefferson valley are parts of this great drainage basin.

The Gallatin river rises in the high altitudes of Yellowstone National Park in the vicinity of Big Horn Pass, and flows northward through the fertile valley that bears its name. The Madison river likewise is formed in the Yellowstone National Park by the union of the Firehole and Gibbon rivers, and flows in a northerly direction through the upper and lower Madison valleys.

Many large rivers mingle their waters with those of the Missouri. In order from east to west, its chief affluents from the north are the Poplar, the Milk, the Marias, the Teton, the Sun and the Dearborn rivers, from the south, the Musselshell, the Judith, the Belt and Smith rivers.

The Milk river drains the region just south of the Canadian boundary line. The Marias river also drains the northern portion of the state. It was formerly called Maria's river. The following passage concerning the naming of that stream by Captain Lewis is of great interest:

"I determined to give it a name and in honour of Miss Maria W—d called it Maria's river. It is true that the hue of the waters of this turbulent and troubled stream but illy comport with the pure celestial virtues and amiable qualifications of that lovely fair one; but on the other hand it is a noble river; one destined to become in my opinion an object of contention between the two great powers of America and Great Britain, with respect to the adjustment of the North westwardly boundary of the former; and that it will become one of the most interesting branches (branches) of the Missouri," etc., Lewis, E. 48, 49.

Dr. Elliott Coues adds this enlightening bit of information:

"The Ulyssean young captain is not successful in concealing the name of 'that lovely fair one;' for 'W—d.' spells 'Wood' without any vowels. This lady was Miss Maria Wood, a cousin of his, afterward Mrs. M. Clarkson. There were a number of intermarriages be-



tween the Virginian Meriwethers, Lewises, and Woods; but one such, the prospect of which Captain Lewis may have cherished in his heart of hearts, was destined never to be."

The chief tributary of the Missouri is the Yellowstone river. It rises on Mount Hayden in the Yellowstone National Park and mingles its waters with those of the Missouri in North Dakota, shortly after crossing the eastern border line of Montana.

The Yellowstone river was known in remote times to the Indians, who called it Yellow Stone or Yellow Rock, on account of the pronounced and prevailing color of its rocky bed and banks. The Indians, who were famous narrators, told of the river to the early *courcurs des bois* at the winter haven of the Mandan villages. It is possible that some of the more venturesome of that daring breed may have penetrated the wilderness and beheld the river. That point will always remain a matter of conjecture. In any event the Canadian-French knew by hearsay that there was such a river and they translated the Indian name into their own language and called it the *Roche Jaune*.

The earliest use of the name is found in the writings of David Thompson, geographer and explorer, who was a conspicuous figure in the British fur trade in the northwest. Thompson visited the ever hospitable Indians on the Missouri river from December 29, 1797, to January 10, 1798. During his sojourn there he learned from the natives certain facts concerning the Yellowstone from which he undertook to estimate the latitude and longitude of its source. In his journal and field notes, Thompson uses the name "Yellow Stone" probably for the first time, just as Lewis and Clark did seven years later.

The first mention of that stream which we find in the Lewis and Clark Journal is as follows:

"January 7th ————— Shahaka, the Big White Chief, dined with us, and gave us a connected sketch of the country as far as the mountains," and by way of observation in a note, Captain Clark adds:

"As far as the high (Rocky) mountains on the south side of the River Rejone (Roche jaune, Yellowstone). \* \* \* I continue to draw a connected plott from the information of Traders, Indians & my own observations and ideas."

On April 26th the party reached the confluence of the Yellowstone and the Missouri. Under that date the Journal continues:

"We continued our voyage in the morning and by twelve o'clock camped at eight miles' distance, at the junction of the Missouri and Yellowstone rivers, where we were soon joined by Captain Lewis.

"On leaving us yesterday he pursued his route along the foot of the hills, which he descended to the distance of eight miles; from these the wide plains watered by the Missouri and the Yellowstone spread themselves before the eye, occasionally varied with the wood of the banks, enlivened by the irregular windings of the two rivers, and animated by vast herds of buffalo, deer, elk, and antelope. The confluence of the two rivers was concealed by the wood, but the Yellowstone itself was only two miles distant, to the south. \* \* \*

"This river which had been known to the French as the *Roche Jaune*, or as we have called it the Yellowstone, rises according to Indian information in the Rocky mountains (in the Yellowstone National Park); its sources are near those of the Missouri and (not so near those of) the Platte; it may be navigated in canoes almost to its head. It runs first through a mountainous country, in many parts fertile and well timbered; it then waters a rich, delightful land, broken into valleys and meadows, and well supplied with woods and water, till it reaches near the Missouri open meadows and low grounds, sufficiently timbered on its borders. In the upper country its source is represented as very rapid; but during the two last and largest portions, its current is much more gentle than that of the Missouri, which it resembles also in being turbid, though with less sediment."

Dr. Coues adds in a foot note:

"In the codices commonly the Yellow Stone

river—perhaps a reminiscence of the time when the Missouri was *la Rivière Jaune* of the French, or the Yellow river; in Gass, 'the river jaune or Yellow Stone.' I have before me an extremely interesting letter \* \* \* which in my arrangement makes part of Codex S. This is no other than the *first* rough draft of Lewis' letter to Jefferson, penned at St. Louis, Sept. 23, 1806—the day the expedition returned—announcing the happy arrival of the party. It is signed by Lewis with his official title, and addressed 'The President of the United States.' The document is full of interlineations and erasures, showing how Lewis studied and no doubt bit his pen in wording so important an announcement, a clean copy of which was to go to the President. This letter is followed by another, now fragmentary, beginning *versa* of the sheet on which the former letter ends, breaking off in the midst of a sentence. \* \* \* It is dated St. Louis, Sept. 21st, by a slip of the pen, probably for 23d or 24th, as Lewis was not there till about noon of the 23d. Here we read: 'at the distance of 1888 miles we reached the entrance of the Yellow Rock river on the 27th (slip for 26th) of Apl.;' and presently; 'we examined the country minutely in the vicinity of the entrance of the River Roghejone'—the *g* over-written for *a c*, but its tail left as long as that of *j*. In the codices, *passim*, the word ranges from Rejone, through Rejhone, Rochejone, Rochejohn, Rochejhone, etc., to its proper form.

"At this point the expedition is 305 river-miles above Bismarck, and 500 below Benton; lat. 48 degrees N., nearly; long. 104 degrees W. nearly; altitude about 2,000 feet. They are very nearly in the center of a 30-mile square, which extends for 15 miles north and south, and the same east and west, of the intersection of 48 degrees N. with 104 degrees W., and constitutes the Military Reservation of Fort Buford. \* \* \*

"Captain Clark's party, of the present expedition, first explored the Yellowstone, on the return journey, in 1806, when Captain

Lewis and his men were over on Maria's river. The honor of discovering the (some) sources of the Yellowstone belongs, I think, to Private John Colter, of the Lewis and Clark party.

The Yellowstone is in every sense a noble river. It carries a great and swift running volume of water and is unique for the variety and magnificence of its scenery. It is navigable as far as the city of Glendive.

The most important tributaries which flow into it from the south are the Powder, the Tongue, the Big Horn, Clark's Fork of the Yellowstone, the Stillwater and the Boulder rivers. The first four of these rise in Wyoming. The largest streams which empty into the Yellowstone from the north are the Sweetgrass and Shields rivers. The history of the latter dates from the 15th of July, 1806, when the Lewis and Clark Expedition passed the mouth of Shields river and named it for one of the members of their party. They described the river in their journal as a "bold, deep stream, flowing from the northwest and discharging itself into the Yellowstone."

Such is an outline of the great drainage system of eastern Montana.

We shall now consider the western or Pacific watershed and the sources of those streams which form the Columbia. The chief rivers of western Montana are Clark's fork of the Columbia and the Kootenai. In the Lewis and Clark Journal under date of August 12th we read of their discovery of the utmost springs of the Columbia. That was indeed a memorable day. They tasted of the waters that form the Jefferson, stood on the Continental Divide, and beheld, for the first time, the infant stream that gives its first impulse to the Columbia. The Journal reads:

"As they went along their hopes of soon seeing the Columbia (i. e., the Pacific watershed) arose almost to painful anxiety, when after four miles from the last abrupt turn of the river (which turn had been to the west), they reached a small gap formed by the high mountains, which recede on each side, leaving room for the Indian road. From the foot

of one of the lowest of these mountains, which rises with a gentle ascent of about half a mile, issued the remotest water of the Missouri."

"They had now reached the hidden sources of that river, which had never yet been seen by civilized man. As they quenched their thirst at the chaste and icy fountain—as they sat down by the brink of that little rivulet, which yielded its distant and modest tribute to the parent ocean—they felt themselves rewarded for all their labors and all their difficulties.

"They (p. 360) left reluctantly this interesting spot, and pursuing the Indian road through the interval of the hills, arrived at the top of a ridge, from which they saw high mountains, partially covered with snow still to the west of them. The ridge on which they stood formed the dividing line between the waters of the Atlantic and Pacific oceans.

"They followed a descent much steeper than that on the eastern side, and at the distance of three-quarters of a mile reached a handsome, bold creek of cold, clear water, running to the westward. They stopped to taste for the first time the waters of the Columbia; and after a few minutes followed the road across the steep hills and low hollows, till they reached a spring on the side of a mountain."

The point above described is now the boundary line between Montana and Idaho.

The source of Clark's fork of the Columbia is the Bitter Root or St. Mary's river which rises in the lofty altitudes of the Bitter Root mountains. This stream was the one originally called Clark's fork by the Lewis and Clark party. The naming of the stream is given under date of September 6th in the Journal:

"We, ourselves, proceeded at the same time, taking a direction N. 30 degrees W. We crossed, within the distance of  $1\frac{1}{2}$  miles, a small river from the right, and a creek coming in from the north. This river is the main stream which, when it reaches the end of the valley, where the mountains close in upon it, is joined by the river (i. e., Camp creek) on which we camped last evening, as well as

by the (other) creek just mentioned. To the river thus formed we gave the name of Captain Clark, he being the first white man who had ever visited its waters."

There has been much confusion about the name of this stream. As we have seen, that which Captain Lewis named Clark's Fork is known as the Bitter Root. That river empties into the Hellgate in the vicinity of Missoula and the two streams thus united take the name of Missoula. This river flows into Lake Pend d'Oreille out of which, it emerges as Clark's river. It empties into the Columbia at 49 degrees N. The name Clark's Fork is sometimes given the stream from its confluence with the Hellgate to its union with the Columbia. Dr. Elliott Coues adds:

"Whatever its name, this branch of Clark's river, on which we now are, runs north, with an average course almost meridional, along the eastern base of the Bitter Root mountains, in Missoula Co., Mont., and receives Hellgate river a very short distance due west of Missoula. Clark makes its course 88 miles from the formation of the river \* \* \* to its mouth (76 miles to Traveler's rest creek). In this course it receives very many—40 or more—short streams, east and west, not all of which have names. The most notable of these is the Nez Perce river, from the S. W. formed of two main branches, one of which rises in the mountains which the expedition has just crossed. The other and more westerly branch comes from the Nez Perce Pass of the Bitter Root range."

The Deer Lodge, the Big Blackfoot, the Bitter Root, the Missoula and the Flathead are all large rivers that drain two thirds of western Montana and empty their waters into Clark's fork of the Columbia. The Flathead river has a north, south and middle fork. The north fork rises just across the border line of British Columbia. It forms the western boundary line of Glacier National Park and flows through a country of unsurpassing majesty and grandeur. The south fork heads in the mountain regions of Powell and Lewis and Clark counties. The three forks



unite near Columbia Falls, Montana, and flow into Flathead lake. The river emerges from the southwestern portion of the lake, is reinforced by the Little Bitter Root, the Jocko and other streams and finally pours its flood into Clark's Fork of the Columbia.

The reason given for naming that great stream in honor of Captain Clark,—i. e., that he was the first white man who ever beheld its waters is one not founded upon actual fact. The early explorers were quick to fancy themselves the first white men in the remote wilderness, when often times they had been preceded by others. However that may be, it is fitting that the noble river should bear the name of the gallant explorer and patriot.

Of the two principal rivers that drain western Montana, namely Clark's Fork and the Kootenai, the former is both geographically and historically the more important. The Kootenai rises in British Columbia and it drains but a small portion of northwestern Montana. It is augmented by the Stillwater, the Yaak river and others. To the east of the drainage basin of the Clark's Fork and the Kootenai is the beautiful St. Mary's river which is a tributary of the Saskatchewan and empties into Hudson's Bay.

The vast system of rivers has innumerable valleys. Those of greatest extent and productiveness arranged according to counties are as follows: Beaverhead county: Beaverhead valley, Black Tail valley, Rattle Snake valley, Grass Hopper valley, Horse Prairie valley and Big Hole Basin valley. Blaine county: Milk River valley. Broadwater county: Missouri River valley and Crow Creek valley. Carbon county: Clark's Fork valley, Rock Creek valley and Yellowstone valley. Cascade county: Missouri River valley, Sun River valley, Belt River valley and Chestnut valley. Chouteau county: Big Grass country. Custer county: Yellowstone valley, Powder River valley and Tongue River valley. Dawson county: Yellowstone valley and Beaver valley. Deer Lodge county: Deer Lodge valley. Fergus county: Judith Basin valley. Flathead county: Flathead valley. Gallatin county: Gallatin

valley and Drainage Basin at Three Forks. Granite county: Flint Creek valley, Rock Creek valley and Hell Gate valley. Hill county: Milk River valley. Jefferson county: Jefferson valley, Boulder valley and Prickly Pear valley. Lewis and Clark county: Prickly Pear valley, Missouri River valley, Sun River valley and Dearborn River valley. Lincoln county: Kootenai valley and Yakt River valley. Madison county: Madison valley, Jefferson valley, South Boulder valley, Willow Creek valley, Beaverhead valley and Ruby River valley. Meagher county: Smith River valley, Musselshell valley and Judith basin. Missoula county: Missoula valley, Jocko valley and Bitter Root valley. Musselshell county: Musselshell valley. Park county: Yellowstone valley and Shields River valley. Powell county: Big Blackfoot valley, Little Blackfoot valley, Deer Lodge valley and Nevada Creek valley. Ravalli county: Bitter Root valley. Rosebud county: Yellowstone valley and Rosebud valley. Sanders county: Clark's Fork valley, Little Bitter Root valley, Flathead valley, Camas prairie and Plains valley. Silver Bow county: Summit valley. Sweet Grass county: Boulder valley, Big Timber valley, Yellowstone valley, Sweet Grass valley, American Fork valley and Otter Creek valley. Teton county: Marias River valley and Sun River valley. Valley county: Milk river valley. Yellowstone county: Yellowstone valley.

Montana abounds in mountain lakes. The largest of these is Flathead lake in the northwestern part of the state. It is 33 miles long and 15 miles wide, covers an area of 360 square miles and has several islands, the chief of which is Wild Horse island. It is navigated by steamboats. The lakes of Glacier National Park are among the most beautiful in the world. Lake McDonald on the western and the Great St. Mary's on the eastern slope of the main range of the Rockies are surpassingly magnificent bodies of water surrounded by snowy peaks. The conformation of the country is such that in almost every ancient glacier basin lives a snow-fed lake. The Mission or Sin-Yal-Min range has many lakes;

notable among them are Lake Angus McDonald, St. Mary's and the Jocko lakes where the Jocko river heads.

The area of Montana is so great, and the contour of its surface varying as it does, from the level plain to snow-encrusted peak, there is wide diversity in the character of its soil. No complete soil survey of the state has ever been made. Limited sections of two or three counties have been mapped and described but as yet only a beginning has been made in this important work. It is safe to make the general statement that throughout the state the soil is rich in the primary elements of fertility. It has not been impoverished by constant leaching which occurs in regions where the rainfall is heavy, nor in the cultivated portions by a long succession of exhaustive crops. The river-drained valleys are rich with alluvial deposits, the cleared timber land is exceedingly productive and scarcely less fertile is the vast expanse of the benches and prairies. This latter character of country which prevails, to a large extent in eastern Montana, has been for years deceptive to the agriculturist. The soil is light brown and lean looking and the native bunch grass is a short and stubby growth, therefore it was adjudged worthless save as a range for cattle, horses and sheep. An eminent authority says that the soil is more or less volcanic ash in texture and is very rich in mineral elements of plant growth.

Another expert in the government service states:

"The Montana soils, not having been subjected to the leaching of heavy rains through the years and not having been reduced by having forests removed, are rich in all the elements of plant food. Nitrogen, phosphorus and potash, those elements, the lack of which prevent crop returns in other sections, are present in abundance in Montana soils."

As Montana is huge in superficial area, and uneven in contour, ranging from 1,890 to 11,000 feet above sea level, its climate consequently differs according to its topographical features. A few general facts, however, apply to the climate of the entire state. It is salu-

brious in character and the air is dry. The summer season is short and the dry winter is diversified by occasional sharp, cold snaps which generally last for a period not exceeding three or four days, and warm "chinook" winds that blow up out of the west, mow down snow drifts and melt the sheath of ice.

It must be distinctly borne in mind that Montana lies partly on the Atlantic and partly on the Pacific slope. As we have seen, the Main Range of the Rockies divides the state into two unequal parts, that lying to the east being a portion of the Great Plains and that to the west a succession of mountain ranges with sheltered intervening valleys. The western portion thus protected and subject to modifying air current from the coast, is milder than the more open wind swept prairie country.

The average rainfall for the state is approximately fifteen inches a year. The heaviest rainfall is from eighteen to twenty inches. This occurs in the northwestern part of the state and in a few mountain regions such as Judith basin and Gallatin valley. Most of the rainfall comes in the spring and early summer, the time most favorable for crops. It is a noteworthy fact that the western slopes of the mountain ranges are generally speaking more heavily timbered and the growths are more luxuriant and there is more moisture. Professor F. B. Linfield of the Montana Experiment Station at Bozeman writes as follows of the rainfall of Montana:

"Unfortunately, our sparse population in many parts of the state makes it impossible to tell accurately what is the rainfall in many districts. It was very evident early in the study of this question that to consider only averages for the state would be very misleading, as the topography of the country modifies materially the rainfall of certain sections.

"After a trip to Seattle in the spring of 1904, I was much impressed with the succession of wet and dry belts as we traveled westward. Montana is classed as an arid country. Traveling westward until we cross the farthest of the Rockies,—the Bitter Root

range,—we strike a strip of country on the western slope of the Bitter Root mountains with a rainfall of twenty-five inches or over. Continuing our journey west to the valley of the upper Columbia and the Yakima and again it is very dry. We climb the Cascades and on the western slopes we find one of the wettest districts on this part of the United States.

“Whether my logic is correct or not, it would seem that as the moisture-laden winds blow off the Pacific ocean and climb the Cascades much of its moisture is precipitated on the western slopes of the mountains. In crossing the lower valleys of the Columbia the air parts with but little of its moisture, but when it begins to climb up towards the Bitter Root range again condensation takes place and we have a wetter strip of country than that either to the east or west of it.”

The effect of altitude on the production of the valleys is worthy of consideration. In those valleys the elevation of which is 6,000 feet or over, hay raising and cattle feeding are practically the only industries, for the growing season is too short and the cold is too severe for grains and vegetables. The

valleys 500 or 1,000 feet lower produce oats, wheat, hardy varieties of vegetables as well as currants and crab apples. Going still another 500 or 1,000 feet lower, apples are found in profusion. The lowest valleys which are situated in the extreme eastern and western part of the state produce cherries, peaches, pears, plums, strawberries, corn, tomatoes, melons, etc.

There is probably no state in the union which excels Montana in magnificent scenery. The great, serrated, glacier-chiseled main range of the Rockies, with its vast stone amphitheaters, its steeped crags, its legions of flashing lakes, its myriads of rushing streams and its glacier-gemmed steeps, is one of the most sublime mountain regions of the world. Add to this, the gentle tilled slopes of the valleys and foothills; the broad rivers which water them, the dense forests of cedar, pine and fir, and lastly that vast rolling prairie country with its huge distances and land marks of occasional “buttes” and one may form some idea of the variety and grandeur of the scenery of Montana.



## CHAPTER II

### GEOLOGY OF MONTANA<sup>1</sup>

Montana is the geologist's mecca. Students and geological classes from many eastern colleges and scientific institutes make regular pilgrimages to Montana to study the wondrous and varied structures of her mountains and plains and of the vast mineral wealth concealed beneath them.

From these studies geologists have been led to reconstruct, in imagination, the history of past ages, and have become skilled in recognizing by various methods the particular age during which different kinds and groups of rocks have been formed.

The name Montana would not always have been applicable to the region within its present bounds. Soon after the dawn of geologic history and for millions of subsequent years Montana was not a mountainous elevated country, as now, but lay below the level of the sea and was covered to great depths with sediments characteristic of sea deposits such as gravels, sands, muds and slimy ooze.

Life in these ancient seas was scant at first, being confined to the simplest forms of sea animals and plants. As the ages went by higher forms of life developed until finally, during the period referred to by geologists as cretaceous, the seas were populated by many kinds of fishes, crocodiles and flightless birds. But man and many varieties of our land animals and plants were yet to appear.

About five million years ago, according to geological reckoning, these sea bottoms with their accumulated burden of sediments began to be pushed up in places into low lying lands and in other places into mountainous regions. The forces which produced this upheaval were attended by great volcanic outbursts which spread pumice, volcanic ashes and lavas over

both land and sea. Such were the beginnings of the Rocky mountains.

Not all of Montana was thus elevated at this time. The eastern plains section was still below sea level, and in shallow, swampy areas bordering the shores rank vegetation grew and accumulated into peat beds which now form the vast coal deposits underlying thousands of square miles of the eastern and central parts of the state. Nor was all the western part of Montana converted into dry land. Fresh water lakes of large extent filled depressions between the newly formed mountains, and in shallow parts of these rank vegetation likewise grew and coal was formed. The clay beds and coal at Drummond, Anaconda, Wisdom, Missoula and Glacier Park were formed in these times.

The climate of this period was warmer than at present. Palms, dates and banana trees flourished in the lowlands. Crocodiles, rhinoceroses and elephants disported in the rivers and forests; camels and miniature horses lived on the prairies; ferocious, saber-toothed tigers crouched in the jungles. Nor are these things mere assumptions, for their bones have been preserved in many places and have been dug out and pieced together and their life histories reconstructed by trained specialists.

It was during these latter times also that many of Montana's great ore deposits were formed. Granite and other molten rocks forced their way up into the crust of the earth and with them metallic minerals, which were afterwards deposited by heated waters in fissures and cracks in the rocks, which the miner calls veins.

<sup>1</sup> This article was written by Darsie C. Bard, Professor of Geology, Montana State School of Mines.

In still later times, possibly some two hundred thousand years ago, climatic conditions changed most decidedly. It began to get colder, so cold in fact that the suns of summer could not melt the accumulated snows of winter, and the great weight of snow in the mountains consolidated to ice which moved of its own weight, down the mountain valleys as glaciers. Also from the north came a great solid ice sheet covering the whole land surface to the depths of thousands of feet in places, and pushing before it and beneath it great quantities of rock debris accumulated from the ground passed over. This was the Ice Age and great changes were wrought thereby. Rivers were diverted from their normal channels, lakes were formed, vegetation was destroyed, the animals that could travel were driven south and new types of arctic animals lived along the ice front. Arctic foxes, musk oxen, reindeer and ptarmigan dwell in Montana.

But these times also passed, warmer temperatures prevailed, the ice melted, and now we have the glacial lakes and moraines throughout the state as monuments of the frigid invasion.

This brief review of the geological history of Montana will help the reader to appreciate the following statements concerning the character, distribution and extent of her economic resources. Montana produces in commercial quantities from her rocks the following products:—coal, building stones, ornamental stones, clay, lime and cement rock, gypsum, foundry sand, graphite, garnets, rubies, sapphires, mineral waters, copper, lead, zinc, silver, gold, arsenic and tungsten. Phosphate rock and mineral oil and gas are known to occur but have not been produced commercially as yet. A geological product of great value, although hardly to be classed as a mineral product, is her water power.

Eastern and central Montana contain some of the largest coal fields in the world. This coal is of different geologic age and character from the coals of Pennsylvania and the Mississippi valley. It is not so valuable for steam-

ing purposes, being, for the most part, lignitic or sub-bituminous. It is nevertheless very valuable as a fuel and gives promise of becoming even more valuable when converted directly into gas for gas-engine use. The best grade coals flank the slopes of the mountain regions where the beds have been subjected to most compression, while the same coal beds lying farther east in the plains regions are of poorer quality.

The coals of western Montana, previously mentioned as having been formed in freshwater lake beds, are of later age than those farther east and are seldom of a quality justifying their utilization under existing commercial conditions.

In formations associated with the coal deposits but not necessarily directly connected with the coal, are sometimes found indications of crude petroleum. Some of these have been prospected but as yet no commercial quantities of oil or gas have been developed.

Building stones of endless variety and great beauty are found throughout the state. Sandstones, limestones, marbles, slates and granites of best quality occur in many places accessible to railway transportation. Owing to the comparatively scant population of the state these resources are but sparingly utilized, but as population increases greater use will be made of them. In like manner ornamental stones await development. Onyx, alabaster and serpentine of desirable quality are found in central Montana. Clays for brick and pottery manufacture are plentiful and are already utilized in numerous plants throughout the state. The lime and cement rock resources of Montana are unlimited. In central Montana enough material to supply all mankind for an indefinite period is available. One cement plant near the Three Forks of the Missouri river is already in operation and another near Yellowstone National Park is under construction. Great beds of gypsum are known in central Montana. Some use of these has already begun, but the supply is ample for all time. Graphite has been found in one locality in southwestern Montana in commercial quan-

ties. The graphite found there is of fine quality and will undoubtedly be successfully developed in the near future. Foundry sands have been discovered in several localities and more will be found as need arises. Garnets, generally referred to as "Montana rubies," are found plentifully in connection with the placer gold workings of western Montana. They are utilized occasionally as precious stones, watch bearings, etc., and also to some extent for abrasive purposes. Sapphires are the most valuable and the most extensively mined precious stones in Montana. They have been obtained for years from the gold placer workings in the mountainous sections of the state and have recently been mined on an extensive scale from solid rock in Fergus county. Some of the gems are of great beauty and size commanding top prices in the sapphire markets of New York and London. Occasionally true rubies have been found with the sapphires, but they are rarely of much excellence as they do not have the desired pigeon-blood color.

Hot springs and mineral waters of therapeutic value are plentiful in the central and western parts of the state. Some of these springs have been developed into popular resorts with modern hotels and medical attendants. The marketing of their mineral waters has progressed but slowly because of the plentiful sources of pure, cold mountain waters with which most of the cities in the state are supplied. Then again the number of these mineral springs throughout the state detracts from the prominence of any one.

Although the mineral resources above mentioned are important and of growing value, they pale in importance compared with the metallic resources which we are next to consider. The gold, silver and copper mines of Montana have not only been prime factors in the growth of the state, but they are intimately interwoven with its history so that a proper conception of the history of Montana involves an appreciation of the development of its metallic wealth.

The Montana pioneers that followed the fur traders and Jesuits were inspired mainly by a

desire for gold. Mountain ranges were climbed, streams were forded, Indians were fought, death in many forms was faced, all in pursuit of gold. And gold was found, plenty of it. Bannack, Virginia City, Last Chance, Blackfoot City, Bear Gulch, etc., all interwoven with the early history of Montana, were centers for the gold diggers and yielded them many millions of dollars.

In later years, after the cream had been skimmed from the placer workings, the miners began to devote their attention to quartz mining. Machinery was hauled in by bull teams, stamp mills and chlorination mills were erected and a new stage in the mining development of Montana began. Agriculture was a natural sequence to mining activity, the country began to have settlements independent of mining and railroads slowly invaded the land.

The railroads furnished cheaper and better transportation for the quartz mines, the activity of which consequently increased, and more mines were discovered. In course of time some of the quartz mines showed signs of exhaustion just as the placer mines had done, but with the difference that new mines were found to take their places, so that quartz mining in Montana has continued to increase in importance steadily to the present time. At first, attention was centered on the ores which would yield bullion small in weight compared to value. But when cheap transportation arrived more attention was paid to the cheaper metals which required smelting for their extraction. Another cause for the increasing importance of smelting ores was the exhaustion of the rich silver and gold ores. At present Butte, Montana, is the largest copper producing locality in the world and the largest silver producing locality, the silver being mostly obtained as a bi-product from the copper ores.

It would be out of place in a work of this nature to give details of how these metallic ores occur further than to say that they are mainly found filling fractures in the earth's crust in mountainous regions and associated with igneous rocks.



Another geological resource of Montana, of great promise for the future, is deposits of rock fertilizer or phosphate rock. Experts from the United States Geological Survey have already found such deposits in several parts of western Montana and more unquestionably exist. As the soils become exhausted by intensified agriculture these natural supplies of fertilizer will prove a great and lasting boon and source of much wealth to the commonwealth.

One of the greatest resources of Montana, resulting from geological processes, is her water power. Horse power by the hundreds of thousands flow over her falls and rapids awaiting the hand of man to bring them into subjection and convert them into electric power for operating her railroads and other machinery, and furnishing light and heat to her citizens. The full utilization of this power is already foreshadowed.

### CHAPTER III

#### THE DISCOVERY OF THE ROCKY MOUNTAINS—THE VERENDRYES

On the 26th day of December, 1667, was celebrated the marriage of Marie Boucher, aged "twelve years, six months and eighteen days," and Lieutenant Rene Gauthier Varennes. The auspicious event took place at the little town of Three Rivers, situated "at the confluence of the St. Maurice with the St. Laurence rivers,—" a distance of some ninety miles from the good old city of Quebec. This wedding was of unusual interest at the time, because the contracting parties were people of prominence; the young bride was the daughter of the worthy governor of Three Rivers and Varennes was a youth of uncommon promise. In time he succeeded his father-in-law and for twenty-two years governed the little French village in which he and his family dwelt.

But if that wedding was of interest to the contemporary villagers and country folk, it is of still greater interest to succeeding generations because among the numerous offspring born to the couple, was a son named Pierre Gaultier de Varennes, known to fame afterwards as the Sieur de La Vérendrye, father of the discoverer of the Rocky mountains.

The boy must have been of an adventure-loving disposition from his early youth. He had doubtless listened to tales of brave exploits told under the magic glow of the camp-fire by boastful *voyageurs* and that half-savage breed, the fur traders, who penetrated deep into the wild; and amongst other wonderful things that quickened his imagination was the oft-repeated story of a great river flowing into the mysterious and much coveted *Mer de l'Ouest*.

Indeed, as early as 1716, while France,

under the regency of the Duke of Orleans, was recuperating from the wanton excesses of Louis XIV., a plan for reaching the Pacific ocean by a northwest passage, was submitted to the acting sovereign by a priest of Versailles, versed in geography, whose name was Bobe. He wrote to DeL'Isle, geographer of the Academy of Science at Paris, on March 15, 1716:

"They tell me that among the Scious of the Mississippi, there are always Frenchmen trading; that the course of the Mississippi is from north to west and from west to south; that it is known that toward the source there is in the highlands, a river that leads to the western ocean. \* \* \* For the last two years I tormented exceedingly, the governor-general, M. Raudot and M. Duchs, to endeavor to discover this ocean. If I succeed as I hope, we shall have tidings before three years and I shall have the pleasure and consolation of having rendered a good service to geography, to religion and the state."<sup>1</sup>

The Duke was sufficiently impressed with the idea to sanction the building of three posts which should serve as bases of supply. The first of these was at the head of Lake Superior near the mouth of the Kaministiquia river, where Sieur Greysolon DuLuth had founded a post in 1678. A second supply station was ordered to be built at Lac des Cristineaux, known in modern times as the Lake of the Woods, and a third at Lake Winnipeg on the verge of the untrodden wil-

<sup>1</sup> Historical Magazine of New York 1859. See Discovery of the Rocky Mountains by Rev. E. D. Neill, Vol. I. Montana Historical Society Contributions, page 303.

derness. The work of construction was under the supervision of Lieutenant La Noue.

These posts were not to be built or supported from the funds of the French government. Parkman says that "by a device common in such cases, those who built and maintained them were to be paid by a monopoly of the fur trade in the adjacent countries."

Once these posts were established, however, it would be incumbent upon the government to equip, pay and direct future exploration parties bent on the quest of the Western Sea.

During the first year little more was accomplished than the building of a stockade at the mouth of the Kaministiquia. Distances were great and difficult, conditions primitive, and stern and in consequence things moved slowly and with extreme difficulty. Three long years elapsed, then the Duke of Orleans sent Charlevoix, the learned Jesuit, to Canada to investigate the rumors of La Mer De l'Ouest, and to use every means in his power to ascertain the route to its shores. The year following, Charlevoix travelled among the Indians and whites of the Upper Lakes, seeking everywhere and from everyone with whom he could commune, the coveted knowledge which was as illusive as a will-o'-the-wisp.

Charlevoix was faithful to his trust. He left no stone unturned. He set down accurately and painstakingly the scanty information, most of which was inaccurate, that he had gleaned from idle Indians and lying *voyageurs*. The sum total of his report to the *Comte de Toulouse* was that the "Pacific probably formed the western boundary of the Sioux and that some Indians told him that they had been to its shores and found white men there different from the French."

Charlevoix's final conclusions were that the western sea might be reached by either of two means, i. e., by ascending the Missouri river, "the source of which is certainly not far from the sea, as all the Indians I have met have unanimously assured me;" (he writes) or by founding a mission in the country of the Sioux, by means of which, once having mastered the

language of that tribe, the priests could obtain, then transmit to the explorers, the information it was believed these Indians possessed, which could guide them across the continent to the shores of La Mer de l'Ouest.<sup>2</sup>

Pierre Margry, keeper of the French archives in Paris says of Charlevoix and his plans:

"The prospect of discovering by the interior a passage to the *Grand Ocean*, and by that to China, which was proposed by our officers under Henry IV., Louis XIII., and Louis XIV., had been taken up with renewed ardour by the Regency. Memorial upon memorial had been presented to the Conseil de Marine respecting the advisability and the advantage of making this discovery. Indeed, the Pere de Charlevoix was sent to America, and made his journey from the north to the south of New France for the purpose of reliably informing the Council as to the most suitable route to pursue in order to reach the Western Sea. But the ardour which during the life of Philip of Orleans animated the government regarding the exploration of the West became feeble, and at length threatened to be totally extinguished, without any benefit being derived from the posts which they had already established in the country of the Sioux and at Kaministiquia.

"The Regent, in choosing between the two plans that Father Charlevoix presented to him at the close of his journey for the attainment of a knowledge of the Western Sea, through an unfortunate prudence, rejected the suggestion, which, it is true, was the most expensive and uncertain, viz., an expedition up the Missouri to its source and beyond, and decided to establish a post among the Sioux. The post of the Sioux was consequently established in 1727. Father Gonor, a Jesuit missionary, who had gone upon the expedition, we are told, was, however, obliged to return without having been able to discover anything

<sup>2</sup> Charlevoix's Western Travels. Also Parkman's "A Half Century of Conflict." Chap. XIV, page 5.



that would satisfy the expectations of the Court about the Western Sea.”<sup>3</sup>

As Margry had said, of the two plans submitted by Charlevoix, the Regent, unhappily, favored that which seemed the more prudent of the two,—the building a mission among the Sioux, but owing to the hostilities of that tribe and the Outagamies, not until 1727 were two missionary priests sent by the Governor of Canada to the Sioux. The crown, being unwilling to finance so precarious a venture, a company was organized and given a monopoly of the fur trade in that section.

The little party, commanded by Boucher de la Perriere, left Montreal in June, 1727, and proceeded slowly to Lake Pepin. The site chosen for the new mission was about the same as that upon which Nicholas Perrot had built and maintained two fur-trading posts some forty years before. This fortified stronghold in the wilderness, half fortress, half mission, was named Fort Beauharnois, and the mission proper was known as Saint Michael, the Arch

This enterprise, however, was pursued by an unlucky fate. In the spring when copious rains swelled streams and lakes, the buildings were flooded and their occupants forced to seek safety on higher ground. Nor was this all. Soon after, the Outagamies allied with the Sioux, harassed the brave little company until the whole project was of necessity abandoned.

Again, in 1731 an expedition was sent to Lake Pepin but the results were practically the same. The commander, Legardeur de Saint-Pierre, of whom we shall hear later, in 1737 gave up all attempts to trade with the Sioux, advising his superiors that these troublesome savages be exterminated.

So much had been done in the matter of western exploration when Pierre Gauthier de Varenne reached the age of maturity. Being, as we have seen, a young man of imagination and energy and, withal, a lover of brave

adventure, he crossed the seas and took part in the war of the Spanish Succession. He was made second lieutenant, fought valiantly and was all but killed in the battle of Malpaquet, where, we are told, “he was shot through the body, received six sabre-cuts and was left for dead on the field.”

The gallantry of the young soldier was unrewarded and he, discouraged, returned to his native Canada, plunged into the wilderness and became a “*coureur de bois*.”

In the year 1728 Vérendrye was in command of a post situated on Lake Nipigon. In his wanderings as a fur trader he had “followed the somewhat deserted course which Radisson and Groseilliers had long before taken, and which a decade before this La Noue had \* \* \* selected.” The Indians who visited the place spoke of the grèat, unexplored country beyond the lakes and of a river which flowed west. One chief told of a lake drained by a large river flowing towards the sunset. He stated that he had followed this river until he reached “water that ebbed and flowed;” and that he had heard of “a Great Salt Lake, bordered with many villages.” Other Indians confirmed the strange tale and La Vérendrye was so impressed with the significance of the information, that he proceeded to confer with the Canadian government relative to heading an expedition to search for the river that flowed to the Western Sea. At Mackinaw he met Father de Gonor, who was just returning from the twice abandoned fort among the Sioux. The good priest encouraged La Vérendrye and offered to use his influence to help him secure a permit for a post among the Cristineaux or “Assiniboels” to serve as a link in the chain of strongholds which should make possible the conquest of the West.

Charles de Beauharnois, a chivalrous and worthy gentleman, was at that time governor of Canada. He listened to La Vérendrye, examined the birch-bark map of the country lying west of the Great Lakes, which had been prepared by La Vérendrye’s Indian guide, Otchaga.

<sup>3</sup> See History of Hudson’s Bay Company, Bryce, Chap. X, page 81.

Beauharnois approved of La Vérendrye's plan but he was handicapped in his liberal policy by the usual penury of the crown. In spite of the governor's earnest recommendation, the king refused to advance the necessary equipment and funds. La Vérendrye offered his services to France, if in return it would furnish him one hundred armed men, provisions and canoes. This was denied him. The most that Beauharnois could secure for the brave adventurer was a monopoly of the fur trade in the country lying north and west of Lake Superior.

La Vérendrye was a poor man. He had no means of his own to finance such an expedition, therefore he took moneyed men into his scheme and in order to induce them to help him, gave them, all-too-generous interests in the profits to accrue from the fur trade.

On the eighth day of June, 1731,<sup>4</sup> La Vérendrye, accompanied by three of his sons, his nephew La Jemeraye, a Jesuit priest named Messengerand, a party composed of about fifty men, left Montreal bent on the desperate quest of the Western Sea.

In August the party reached the great portage of Lake Superior where they were joined by Father Messenger, a priest who had spent some time in that vicinity. At this point the men declined to proceed. A period of mutiny followed. Some of the renegades deserted and others, headed by Dufrost de la Jemeraye, pushed on by a different route along the Nantouagan, or Grosellier (in our day known as the Pigeon) river to Rainy lake, where they built a post called Fort St. Charles.

The party had divided and while one portion, commanded by La Jemeraye, reached Rainy lake the others, under La Vérendrye wintered not far from the great portage on the shores of the Kaministiquia river. The next June they joined forces, took up the in-

terrupted journey and having gained the Lake of the Woods, founded upon its southwestern shores, Fort St. Charles. Near Lake Winnipeg, on the Assiniboine, a third fort was erected and a fourth was built on the banks of the river Winnipeg, both that stream and post being called Maurepas after the Minister of France.

La Vérendrye seems to have been born under an unlucky star. The doubtful concessions granted him by the Crown brought the wrath and jealousy of Canadian merchants and traders upon his head and it has been suggested, not without probability, that these rivals in the fur trade bribed his little company to rebel or desert him outright, and strove by every means to accomplish his ruin. Lack of supplies caused further delay. On the 12th of April, 1735, after much difficulty, additional provisions and equipment were brought to the expedition by La Vérendrye's fourth son, who from that time became a member of the party.

In June, 1736, La Vérendrye's eldest son, Jean Baptiste, the missionary Auneau and twenty Canadians started to return to Michilimackinac, which was then the "depot of the West" and known as "The Key to the Northwest." While camped on an island in the Lake of the Woods they were surprised and massacred by a war party of Sioux. Within a few days five Canadian travelers found the murdered white men. All had been scalped. Father Auneau remained on one knee, an arrow pierced his bare breast, his left hand rested on the ground and his right was raised piously towards heaven. La Vérendrye's son had been killed by a tomahawk which was still buried in his back.

We are informed by Belcourt that the Indians preserve a tradition of this tragedy. They say that early one morning a canoe bearing eight white men put out from a French trading post about the middle of the Lake of the Woods and camped on an island near "the last pass to enter the river of Rainy Lake." It was a perfectly calm day. Not a

<sup>4</sup> See Neill's *Discovery of the Rocky Mountains*. Vol. I, Montana Historical Society Contributions.

Dr. Neill says La Verendrye joined the party in 1733.

breath of air stirred. The smoke from the camp fire of this ill-fated party uncurled its great plume high in the blue. The ever watchful Sioux, the "Tigers of the Plains," descended stealthily upon the unsuspecting whites and killed them to the last man. After this bloody episode the little isle became known as Massacre Island.

La Vérendrye was at the post on the shores of the Lake of the Woods when the news of his son's murder was brought to him. Nor did this great grief come singly. Almost at the same time he heard of the death of his nephew, the brave Dufrost de la Jemeraye, who guided the *voyageurs* safely along the dangerous and unknown Nantouagan or Groselliers river. La Jemeraye was the son of La Vérendrye's sister, Marie Reine de Varennes, and brother of Madame Jouvile who established the order of hospitaliers at Montreal. His death came as a crushing blow to the elder La Vérendrye, who, discouraged and abandoned, overtaken by poverty and disaster, pathetically declared himself "destitute of everything."

In the autumn of 1737 he returned to Canada to confer with his patron, Charles de Beauharnois. The governor gave him a hearing and believing in his sincerity of purpose, sent an account of his explorations, together with a chart of the region penetrated by him for the first time, to the French king. Although the Crown never responded to La Vérendrye's appeals, the constant friendship and encouragement of Charles de Beauharnois were a never failing source of comfort to the unfortunate explorer.

During the spring of 1738 he started westward from Montreal with a company of twenty-two men and an equipment of six canoes. In twelve days' time they reached the grand portage of Lake Superior. They found this section practically deserted by its aboriginal inhabitants because the Cristineaux were off doing battle with the ever belligerent Sioux. The party pushed on with little delay, reaching Kaminitiguia on the fifth of August. After one day's rest they were off towards the

fateful Lake of the Woods, where they arrived at Fort St. Charles the last of August. At this place of bitter memories La Vérendrye and his men held a council with three Indian chiefs and assurances of friendship were exchanged among them.

La Vérendrye quotes the chief, LaColle, saying:<sup>5</sup>

"He did not cease to weep for my son and all the Frenchmen, that the lake was still red with their blood which called for vengeance. It was not for them to ask why the French desired them to cease from war; that they would stay on their lands, still hoping that the French, at some future time, would obtain vengeance for the miserable stroke the Sioux had made upon their land."

La Vérendrye left one of his sons in command of Fort St. Charles with two others of his party. He, with the rest, started for Fort Maurepas, which he reached after eleven days of travel. At this post he put M. Lari-viere in command, leaving with him a force of nine men. Once more he pushed on and on the 24th gained the junction of the Red River of the North and the Assiniboine. At this place he found ten Cree lodges headed by two chiefs. These people, too, were friendly to the Frenchmen and expressed deep sorrow for the massacre of La Vérendrye's son, Jean Baptiste, and his party. One of the chiefs said:<sup>6</sup>

"We will keep quiet as our father (the Governor of Canada) desires; the Sioux should do the same. Our hearts are still sick for thy son who came the first to build a fort in our lands. We love him much. I have once already been at war to avenge him. I have destroyed only ten wigwams."

After a visit of two days with the Crees he proceeded overland up the valley of the Assiniboine. On the third day of October he and his men chose a site and began to build a

<sup>5</sup> See Macallister College Contributions. Second Series, page 113.

<sup>6</sup> Macallister College Contributions. Second Series, page 114.



post which they named Fort La Reine. The post was favorably situated on the Assiniboine river. This stream they called St. Charles, in honor of Charles de Beauharnois, Governor of Canada and a branch of the same river was given La Vérendrye's Christian name and called St. Pierre.

La Vérendrye had been established there but six days when he was joined by Mgr. de la Marque, la Marque's brother, Sieur Nolant and a party of eight men who had travelled thither in two canoes from Mackinaw. On his way la Marque had stopped at the mouth of the Assiniboine, on Red river, and left there M. de Louviere to found a post.

The Assiniboinés, who in remote times had severed themselves from their parent tribe, the Sioux, gave La Vérendrye information concerning a nation, which, they declared, was of a different race from the Indians and dwelt in villages along the Missouri river. These people were called "Mantannes" or Mandans by the Crees, Courtchouatte by the Monsones, "White Beards" popularly, though their own tribal designation was Ouachipouannes. The Assiniboinés were positive that the Mandans knew the way to the Western Sea and that amongst them the Frenchmen would have no difficulty in securing guides who would lead them safely to its shores. After repeated disappointments these tidings came as a boon to La Vérendrye. It seemed to him that at last he had a tangible clue. Therefore on the 16th of October, amidst the martial roll of drums, La Vérendrye with all the military dignity of an old soldier, lined up the entire force of the post and inspected the arms of every man. He chose ten of the best of La Marque's party and likewise ten of the best of his own, to make the long and danger-fraught journey to the Mandans.

Fort La Reine, the newly established post, was left in charge of Sergeant Sanschagrin in whose command were two soldiers and ten *voyageurs*.

Two days after the military inspection, that is, on the eighteenth of October, La Vérendrye

with his sons Pierre and the young Chevalier, La Marque and his brother, Sieur Nolant, and a mixed company of Indians and French Canadians, numbering, in all, fifty-two, struck out for the land of the Mandans.

It was indeed a desperate venture. Unknown dangers beset the uncharted way. No white man, so far as La Vérendrye knew, had ever crossed this trailless wilderness. On the twenty-first of October, after traveling a distance of twenty-six leagues from Fort La Reine, the adventurers arrived at the first mountain along their route. Dr. E. D. Neill, of Macallister College, believes that this was Turtle mountain. They proceeded slowly towards the southwest, stopping on the way, to visit a group of ever-friendly Assiniboinés. A number of these Indians joined the party and went with them towards the Mandan villages. The route lay along the Assiniboine river, whose treacherous waters threatened the frail bark canoes with destruction, thence to the Mouse river. Afterwards their course was over the prairie,—the Assiniboine escort conducting them "in much state" towards the Mandan land.

On the 28th of the month the first Mandans were seen. This must have been a hunting party, ranging at some distance from their permanent abode. The chief approached La Vérendrye in a friendly spirit and at his command one of his braves gave the Frenchmen Indian corn in the ear, and native tobacco. These gifts were accompanied by an invitation from the chief to visit his village. Three days after the march was resumed, one of the Assiniboinés proved himself a traitor and a thief by stealing a bag belonging to La Vérendrye which contained valuable papers and various articles of great importance.

Winter had descended upon the land; level plain and rolling hill were alike cloaked with snow, when on the 3d of December the Frenchmen came in sight of the first Mandan village.

We are told that on the morning of that eventful day the camp was astir at dawn, so eager were the explorers to reach the Indian

settlements. As the cavalcade, composed, as we have seen, of white men and Indians, rode into full view on the crest of the hill, the Mandans came to greet them, bearing the calumet,—the ceremonial and sacred pipe of peace. The instinct of the soldier, that *Esprit de Corps* of the gallant man-of-arms, which seemed ever to dominate La Vérendrye, showed itself again at this imposing climax when white and red met face to face for the first time in the heart of those lonesome wastes. He ordered his son, the young Chevalier, to line up the entire command. Then, with the tri-color of France “four paces” in advance, a salute of three volleys was fired.

And again he says:

“This nation is mixed white and black. The women are fairly good looking, especially the white, many with blonde and fair hair.”<sup>8</sup>

La Vérendrye is the earliest of the *voyageurs* known to have visited the Mandans, and his journal contains the first written account of them. Practically every explorer who followed in his footsteps has added some item of information concerning these people. Their peculiar physical characteristics, commented on by all of the early travelers, may have been caused by a generous admixture of the white strain, transmitted through the half savage and libertine *coureurs des bois*, who



BEAR TOOTH MOUNTAIN, NEAR THE GATE OF THE MOUNTAINS.

At these demonstrations the Mandans rushed forth to greet the visitors and La Vérendrye was disappointed to see, not a different race, as he had expected, but a type of Indians characterized by gray hair and not infrequently gray eyes as well,—but Indians none the less. He wrote afterwards:

“I acknowledge that I was surprised, expecting to see a different people from the other Indians, especially after the account given me. There is no difference from the Assiniboines; they are naked, covered only with a buffalo robe, worn carelessly without a breech-clout.”<sup>7</sup>

knew no law nor creed and whose unrecorded wanderings form one of the most interesting chapters in the unwritten history of the West; or, it may have been, as Matthews suggests, merely a variation of the racial type.

The tribe possesses more than ordinary historical interest, for on account of the situation of the villages, which were on or about the present site of Fort Berthold in North

<sup>7</sup> Journal of La Verendrye—Canadian Archives, 1889, page 13. Maximilian's Travels in North America, page 262.

<sup>8</sup> Canadian Archives, 1889, page 21. Maximilian's Travels in North America, Chap. XXV, page 256.

Dakota, these crude domiciles became the winter refuge of practically every expedition which broke its way painfully through the wilderness and proceeded slowly towards the West. Lewis and Clark found shelter there. Maximilian, Price of Wied, that adventurous German scientist and explorer; Brakenridge, Bradbury and many others were sheltered from the cold by the friendly Mandans. When La Vérendrye visited the tribe they occupied six villages on the banks of the Missouri river, which the explorer calls "The Great River of the Couhatchatte Nation." He wrote in his journal that the settlement which he visited was probably the smallest and it was composed of about one hundred and thirty houses, each house sheltering several families. When Lewis and Clark came among them in 1804 the ravages of small-pox, a disease which depleted and all but annihilated many tribes, and the loss through continued wars with the Sioux, had reduced the once populous nation to two villages, protected by approximately three hundred and fifty men. Prince Maximilian found them still more reduced when he visited them in 1833. They still dwelt in the two remaining villages but the warriors numbered only two hundred and forty and the entire population of both villages amounted to only a thousand.<sup>9</sup>

On that winter's day in December, at four o'clock in the afternoon, when La Vérendrye and his little party, buoyed up with expectation, approached the Mandan villages whose squat mud houses must have looked curiously like ant hills under the blanket of prevailing snow, the Indians, filled with curiosity, rushed out, as we have seen, to welcome the pale-faced strangers whose coming was so marvelously heralded by the loud report of fire arms and who were distinguished by the gay tricolor of France. La Vérendrye and his men were conducted with much pomp and not a little awe to the house of the head chief who

welcomed them cordially. Instantly every available inch of space within the thick walls of the structure was occupied by frankly curious savages. In the *melee* La Vérendrye was robbed of the precious bag, borne painfully over weary miles, which contained his propitiatory gifts to the Indians. The clever rogue stored the booty in one of the numerous caches which La Vérendrye described as cellars.

The loss was far more serious than the intrinsic value of the baubles. The exchange of gifts was a ceremony indispensable, according to Indian custom. The head chief deplored the theft, explaining to his guests that unfortunately there were\* dishonest persons in his tribe. Nevertheless, all negotiations were broken off because of the lack of the presents and La Vérendrye found himself again baffled and dismayed.

Through their interpreter the Frenchmen were told certain vague stories concerning strange white men, clad in iron, who lived a summer's journey distant on the banks of a great river. But of that coveted route to the Western Sea they knew as little as the Sioux or the Assiniboines.

Just so much information, half truth and half fantasy, had the eager La Vérendrye gleaned when his interpreter, falling under the charm of an Assiniboine maiden, dropped all minor matters, and started off in mad pursuit of the shy object of his passion. Thus abandoned the Frenchmen were helpless so far as communicating verbally with the Mandans was concerned. They could understand nothing nor could they make themselves understood.

It had been La Vérendrye's intention to remain all winter in one of the villages, during which time he could become acquainted with the people and learn all that they had to tell. With the theft of the presents and the disappearance of the interpreter this was no longer possible. Therefore, he left two men with the Mandans to learn their language and gain all possible information, and he, with the re-

<sup>9</sup> For further account of the Mandans, see Maximilian's *Travels in North America*, Chap. XXV; Matthews-Hidatsa, *North American Indians*; Catlin, *Bradbury's Travels*, etc.



mainder of his party, retraced his way to Fort La Reine.

He wrote:<sup>10</sup>

"I was very ill but hoped to get better on the way. The reverse was the case, for it was the depths of winter. It would be impossible to suffer more than I did. It seemed that nothing but death could release us from such miseries."

The terrible journey was completed on the 11th of February, 1739, when the brave little band, sadly exhausted and fordone, arrived at Fort La Reine. La Vérendrye had suffered much, not only in body but in mind. He seemed to have been thwarted at every turn and denied the success that he had earned.

The following September the two Frenchmen who had remained at the Mandan village joined La Vérendrye at Fort La Reine. They were enthusiastic in their accounts of the hospitality extended to them during their long sojourn, among the Mandans, but what was far more important, they brought news of strange tribes, who, during the spring had come to trade. These people were about two hundred lodges strong, had plenty of horses and embroidered buffalo hides. One certain band among them was reported to have come a great distance from a land towards the sunset "where there were white men who lived in houses built of bricks and stones."

The Frenchmen had zealously attempted to follow up this rumor. They went to the camp of the band from the sunset land and by means of the smattering of the Mandan language which they had acquired they were able to converse with the western chief who, also, happily was familiar with that language. He professed to speak the tongue of the strange white man dwelling near the Western Sea, but the words he repeated were unintelligible to the Frenchmen. The substance of his story was this:

Far to the sunset there was a Great Salt Lake, the waters of which rose and fell and

could not be drunk to quench the thirst. On the shores of this lake were white men who had beards and worshipped the Master of Life in "great houses, built for the purpose, holding books, the leaves of which were like Indian corn, singing together and repeating *Jesus Marie*."<sup>11</sup>

From these statements Parkman advances the plausible theory that the chief and his band had visited the Spaniards of the western coast.

The chief offered to conduct the Frenchmen to the Great Salt Water, assuring them that by hard travel, and allowing for a circuitous route which must be taken in order to avoid the *Gens de Serpent*, Snake or Shoshone Indians, they could reach the end of the journey by winter.

La Vérendrye lost no time after hearing this news. He sent his oldest son, Pierre, with such a company of men as he could muster, back to the Mandan villages commissioning him to secure guides and push on toward the Western Ocean. Meantime, the visiting Indians from the west had gone, no one knew whence, and with them every clue. Therefore, during the next summer Pierre returned, his journey without result save fresh disappointment to his father.

In the year of 1740 La Vérendrye, who was no longer the rugged explorer of former days, went to Montreal for the third time to solicit the support and aid of his country. Once more he was rebuffed. He found a law suit and clamorous creditors awaiting him. Parkman quotes the following pathetic passage from his journal:

"In spite of the derangement of my affairs, the envy and jealousy of various persons impelled them to write letters to the court insinuating that I thought of nothing but making my fortune. If more than forty thousand *lires* of debt which I have on my shoulders are an advantage, then I can flatter myself I am very rich. In all my misfortunes I have

<sup>10</sup> Parkman's Half Century of Conflict, Chap. XVI, page 18.

<sup>11</sup> See Parkman's Half Century of Conflict, Chap. XVI, p. 19.

the consolation of seeing M. de Beauharnois enters into my views, recognizes the uprightness of my intentions, and does me justice in spite of opposition."<sup>12</sup>

But if La Vérendrye was broken in health and spirit his sons were ready to take up his work where he had been forced to leave off. In the spring of 1742, Pierre de La Vérendrye and his brother, the Chevalier, with but two of their fellow countrymen set their faces towards the west. They started from Fort Le Reine on the 29th day of April and after three weeks of strenuous travel came once more within sight of the Mandan villages.

Again these cordial Indians extended the brothers the best of their simple hospitality and made them welcome. They had nothing more to tell of the way to the Western Sea, but they were then awaiting the coming of a visiting tribe known as the Horse Indians, who, the Mandans believed, could conduct the young Frenchmen to their goal. Spring came and went, summer lay on the prairie and still the Horse Indians did not appear. Growing impatient at this tedious delay Pierre and the Chevalier induced two Mandans to guide them to the camping grounds of the Horse Indians.

A three weeks' horse back ride through a wilderness so lonesome that for a period of twenty days the Frenchmen saw no one, brought them to that region described by their guides as the usual abode of the Horse Indians at that season. On the 11th of August they reached a hill which they had expected would command a view of the Indian camp, but only the rolling prairie and the monotonous swell of foothills greeted their weary vision. Not a human creature was to be seen nor a sign of human presence. As it was probable that these Indians, who were of course nomadic in their habits, had moved to some adjacent country in pursuit of game,

the brothers determined to camp where they had halted, build signal fires to attract attention and scour the surrounding plains from the vantage point of hill tops in search of the wandering tribe. Parkman believes that the site of this camp was "west of the Little Missouri and perhaps a part of the Powder river range."

One of the Mandan scouts became tired of the journey and forthwith set out to return to his people.

Pierre and the Chevalier, with the one remaining guide, made every effort to find the Horse Indians. Finally, on the 14th of September the eager watchers saw a plume of smoke.

One of the brothers, accompanied by the Mandan, set out at once towards this beacon. It proved to be the campfire of a goodly company of Indians whom the journal of La Vérendrye names *Les Beaux Hommes*. These Indians were probably identical with the Crows or Apsaroka, who dwelt in that section near the Yellowstone and who, bearing out the above French title of "Handsome Men" were remarkable for physical perfection. The *Beaux Hommes* were no less cordial than the Mandans had been to the white men. The little, defenseless party was welcomed with spontaneous joy and housed in the lodges. The two La Vérendryes were glad enough to be received with such boisterous good will; the one remaining Mandan became exceedingly alarmed, however, because of a deadly feud between his tribe and the *Beaux Hommes* and decamped abruptly to join his fellows in their distant home on the Missouri.

The Frenchmen had no interpreter but by means of the sign language, an almost universal medium of exchange of thought among the different Indian nations, they were able to make known to their hosts their desire to find the Horse Indians. The *Beaux Hommes* furnished them with guides chosen from their own braves and after a sojourn with these people lasting 21 days the Frenchmen started out on October the 9th in a south-southwesterly direction.

<sup>12</sup> *Memoire du Sieur de la Verendrye du Sujet des Etablissements pour arriver a la Decouverte de la Mer de l'Ouest*, in Margry, vi. 585. See Parkman's *Half Century of Conflict*, Chap. XVI, page 12.

Along the way they fell in with scattered bands,—probably hunting parties of different tribes, the “Little Foxes and the Pioya.” At this far distant date it is impossible to identify these Indians. It seems rather droll that the various groups of primitive people possessed of inordinate curiosity, joined fortunes with the white men and proceeded with them towards the country of the Horse Indians.

When, at last, the *voyageurs* came to these long sought people it was only to find them plunged in the extremity of confusion and despair. In a recent battle most of their warriors had been killed by the terrible Shoshones or Snakes, otherwise known as the *Gens du Serpent*. Only one year before these bloodthirsty foes had wiped out seventeen villages, murdering the fighting men and the aged and abducting the young women and children whom they held in slavery. Having at length found the Horse Indians, the brothers La Vérendrye were still far from obtaining the information which they coveted. Following the monotonous reiteration of successive disappointments, the Horse Indians proved to be totally ignorant of the way to the Western Ocean. They were, however, acquainted with *Gens de l’Arc* or Bow Indians, possibly a branch of the Sioux, who were reported to have traded in the west not far from the Pacific’s shores. The Horse Indians were on terms of friendly intercourse with the Bows and knew their usual camping grounds and in consideration of such gifts as the Vérendryes could bestow, and also probably because of their miserably destitute condition, they consented to act as guides and conduct the Frenchmen to the Bows.

The land of these westward trading Indians lay to the southwest of the village of the Horse tribe. For three or four days the party continued in that direction, when they saw, spread out before them on the face of the prairie, a huge encampment,—the dwelling of the *Gens de l’Arc*.

The Vérendryes had penetrated into what was then an unexplored waste. The Bow Indians greeted them with profound surprise

and respect, few if any of their number ever having seen a white man. As they had previously been conducted in state to the house of the Mandan chief, now they were again escorted to the lodge of the princely chief of the Bows. Parkman quotes from the Chevalier’s journal the following passage:

“Thus far we had been well received in all the villages we had passed; but this was nothing compared with the courteous manners of the great chief of the Bow Indians, who, unlike the others, was not self-interested in the least, and who took excellent care of everything belonging to us.”<sup>13</sup>

The camp of the Bows was greater than any the explorers had yet seen. The reason for this vast assemblage was a veritable gathering of the clans for the purpose of a war expedition against the terrible Snakes.

The Vérendryes asked for information concerning the object of their quest, but once more they received the same disheartening reply. The chief of the Bows and his people knew not of the Western Sea. They had heard of the Great Water from certain Snake prisoners but that was all. The chief was eager to help the white explorers. Parkman quotes him as saying:

“Come with us. We are going towards the mountains, where you can see the Great Water that you are looking for.”<sup>13</sup>

Towards the mountains! How little did Pierre and his brother, the young Chevalier, dream that their best claim to fame would rest upon the sight of those Shining mountains,—the back bone of the continent,—rather than upon the discovery of the Western Ocean which lay eight hundred miles beyond.

The Frenchmen were eager to follow any likely course that might take them to the Western Sea, therefore they gladly accepted the chief’s invitation and when the camp broke up and the mighty cavalcade poured its hosts across the prairie, the white *voyageurs* rode

<sup>13</sup> See Parkman’s *Half Century of Conflict*, Chap. XVI, page 27.



side by side with the red Knights of the Plains.

To quote again from the Chevalier's journal:<sup>14</sup>

"We continued our march sometimes south-southwest and now and then northwest; our numbers constantly increasing by villages of different tribes which joined us."

Thus they journeyed on, a vast and motely concourse and on the first day of January, 1743, a snow-silver mountain range loomed before them, shimmering against the blue. The enthusiastic Frenchmen with poetical appreciation called these peaks "The Shining Mountains."

Historians generally agree that this was the Bighorn range of the Rocky mountains, situated about one hundred and twenty miles east of the present Yellowstone Park.

In view of these peaks now seen for the first time by white men, a council of the chiefs and warriors was held to determine what course to pursue. The decision of the council was that the women, children and infirm be left behind in a place of comparative safety in accordance with the usual Indian custom, while the warriors sallied forth in a body to strike the hated Snakes. Pierre and the Chevalier were invited to accompany the advancing army. After deliberation, the elder, Pierre, determined to remain with the camp to watch over and protect the belongings of the party and the young Chevalier chose to proceed with the warriors, though he prudently declined to engage in any possible combat with the foe.

The progress of the Indians was tediously slow. Being now in the country of the Snakes every precaution was observed in the hope that these wily and blood-thirsty people might be surprised in the supposed security of their winter quarters.

The war party started on its sally January 21, 1743, and twelve days later reached the base of the mountains. The Chevalier writes

in his journal that they are "for the most part well wooded and seem very high."

The Chevalier was anxious to ascend this range for he believed that on the lofty summit he might at last realize the dream of his father, his brothers and himself—the vision of the Western sea.

At this juncture the scouts returned and reported they had reached the camp of the Snakes but the enemy, evidently alarmed at the approach of the attacking party, had gone, apparently in great haste. Their flight might mean one of two things, either that they had sought refuge in some fastness or, that circling around the Bows, they had descended and wreaked their vengeance upon the camp where women, children and supplies had been left. The latter of these contingencies spread terror through the ranks. Warriors who scorned imminent death in battle turned cowards at the possibility of wives and children being murdered or taken into slavery which was yet more to be dreaded than death. The Great Chief, who wished to continue the pursuit, addressed the braves and tried to calm their panic. But even he, with his strength of spirit, could not control them. They began to retreat pell-mell, in chaotic confusion, each man for himself and "the devil take the hindmost."

The place of the Chevalier was beside the Great Chief. One day as they rode together, the Chevalier noticed that his two fellow-countrymen and companions had disappeared. He feared for their safety and returning to the rear of the broken column, discovered them resting and grazing their jaded ponies. At the same time he saw fifteen of the dreaded enemy approaching the unsuspecting white men, under cover of buffalo hide shields. A volley of shots dispersed the Indians and the Frenchmen escaped without injury. The incident was not without its alarming consequences. While the Chevalier turned back to search for the loiterers, the Great Chief of the Bows and his flying legions, driving swift and trackless as a whirlwind across the prairie, had disappeared. The Frenchmen

<sup>14</sup> Parkman's *Half Century of Conflict*, Chap. XVI, page 29.

could find no trace of them. They pressed ahead, however, and on the 9th day of February arrived at the camp to find the women and children unmolested and ignorant of the alarm in their behalf. Immediately after they reached their friends a blizzard suddenly came up and in twenty-four hours the face of the land was masked with snow.

Meantime the Great Chief did not come. After five days he, too, arrived in camp "more dead than alive" according to the Chevalier's journal.

That princely Indian had rallied a few faithful warriors around him and taking his life in his hands, had scoured the desolate plain in search of his young white friend. To the Indian the laws of hospitality are sacred and the Great Chief felt responsible for the strangers in his charge. He had braved the danger of lurking foes, the bitter lash of the northern storm to seek out and save his guests. He believed them to be lost, when, at last, exhausted and grief-stricken he returned and joined his people. The Chevalier writes: "His sorrow turned to joy, and he could not give us attention and caresses enough."

The cause which had drawn and held the many bands,—the attack of the common enemy,—was now gone, so the different parties went their several ways. Pierre and the Chevalier, with their followers, remained with the Great Chief of the Bows. Travel was slow. Deep snow-drifts made the way difficult for the heavily-laden *travois*. They directed their course east—southeast until about the first of March. They were then approaching the winter dwelling of the *Gens de la Petite Cerise*, or Choke Cherry Indians. Ever hopeful of gaining information which might guide them to the Pacific, the brothers dispatched one of their followers, accompanied by a single guide, to see these people. After ten days the emissary returned. He had found the Choke Cherry Indians kindly disposed and he conveyed to the brothers Vérendrye an invitation from the tribe to visit them in their village.

The time had now come when Pierre and

the Chevalier must part from the Great Chief of the Bows, he of noble heart and gallant spirit who had protected them in danger, sheltered them in storm and with royal generosity shared his lodge with them. A warm affection and regard had sprung up among the chief and his young friends and he was loath to take leave of them. The Vérendryes, however, promised to return to him if he would camp upon the banks of a stream with which they were familiar. Such partings in the wilderness had a grim prospect of finality, and in this case as many others the friends were destined never again to meet.

The journal of the Vérendryes says: "We arrived the 15th of March among the band of the Little Cherry, who, where we found them, were two days' march from their camp on the Missouri." Parkman and other authorities state that they, as well as the Bows, were probably bands of the powerful and populous Sioux or Dakota nation; this, however, is a matter of speculation rather than certainty and is based on their geographic location rather than ethnological facts. In more primitive times Indian bands often took their names from the physical characteristics of the country which they frequented. It is therefore likely that the Choke Cherry or Little Cherry Indians were so called because they habitually camped on Cherry creek. Bishop O'Gorman says of the location of the stream:

"Cherry creek empties into the Cheyenne about fifty miles from the Missouri, and the Cheyenne empties into the Missouri about thirty miles from (the modern city of) Pierre."

Whoever these Indians may have been, of one thing we are certain,—like the many different tribes the brothers had visited in their wanderings, the *Gens de la Petite Cerise* had no knowledge of the route to the Western sea.<sup>15</sup>

<sup>15</sup> The facts on which the foregoing narrative of the journey of the Chevalier de la Verendrye and his brother Pierre with the Bow Indians, are based mainly on Parkman's *Half Century of Conflict*, Chap. XVI.

The Vérendryes were without resources. Unable to proceed farther, their only recourse was to turn east once more,—their great object unattained. Although far from their goal they had achieved much and this they realized for they determined to mark with a fitting monument, this, the farthest westward step of the white race. Accordingly, close by the camp of the Choke Cherry Indians, at no great distance from the banks of the Missouri river, they erected a pile of stones. The Chevalier wrote:<sup>16</sup>

"On an eminence, near the fort (camp), I placed a leaden plate engraved with the arms and inscription of the King and some stones in shape of a pyramid in honor of the General (Beauharnois)."

Prudence prompted the Frenchmen to conceal from their hosts the presence of the precious leaden plate; they told them merely that the monument of stones had been built in honor of New France.

On the 2nd of April, Pierre and the Chevalier started on their long march to the Mandan villages, traveling north and northwest. They reached the Mandans on May the 18th and thence made their way back to civilization.

The Sieur de la Vérendrye was overwhelmed with joy at the return of his sons. Harassed by creditors, temporarily estranged, through the malicious misrepresentations of designing and envious persons, from La Galissonnière, who had succeeded his patron, Beauharnois, as governor of Canada, he had been further tormented by anxiety for the safety of Pierre and the Chevalier. With their coming, temporarily at least, a brighter prospect opened for the family. The Sieur de la Vérendrye was restored to favor, made Captain of the Order of St. Louis, ordered to resume explorations, and the two young *voyageurs* were promoted. The following letter from La Vérendrye is of interest:

<sup>16</sup> Bishop O'Gorman's Address, South Dakota Historical Society Collections, Vol. II, 1904, pages 118-121.

"Monseigneur: I take the liberty of tendering you my very humble thanks for your having been pleased to procure for me from His Majesty a cross of St. Louis, and for two of my children their promotion. My ambition, coupled with my gratitude, induces me to set out next spring, honored with the orders of Monsieur the Marquis de la Jonquière, our general, to look after the posts and explorations in the west which have been suspended for several years. I have sent to Monsieur the Marquis de la Jonquière, the map and memorandum of the course I must follow for the present. Monsieur the Comte de la Galissonnière had like ones. I will keep a very exact account of the course from the entrance of the territories unto the boundaries to which I and my children may attain. I cannot leave Montreal except during the month of May the upper countries. I intend making all haste next, at which season navigation is open to possible so as to winter at Fort Bourbon, which is the last on the lower part of "Riviere au Biche" of all the forts I have established. Most happy if, as the outcome of all the trials, fatigues and risks I have undergone in this protracted exploration, I could succeed in proving to you my unselfishness, my great ambition, as well as that of my children, for the glory of King and the welfare of the Colony.

"I am with a very deep respect, Monseigneur,

"Your very humble and very obedient servant,

"La Vérendrye.

"Quebec, the 17th of September, 1749."<sup>17</sup>

Still fired with the enthusiasm of youth, while planning to start out once more, the dauntless Sieur de la Vérendrye died on December 6, 1749.

Beauharnois had been, as we have seen, succeeded as governor of Canada by the Marquis de la Galissonnière, who was, as his predecessor had been, a staunch friend of La Vérendrye and his sons. Unfortunately for the surviving children of the great explorer,

<sup>17</sup> See Macallister College Contributions. Second Series, p. 119.



La Galissonnière soon returned to France. The governorship passed into the hands of the Marquis de la Jonquière, a hard, grasping and unscrupulous man. François Bigot was intendant. Bryce, in his History of the Hudson's Bay Company, has described these two conspirators as "Vampires, who had come to suck out the blood of New France." Parkman says of them: "Both were greedy of money, —the one to hoard, and the other to dissipate it."

The Sieur de la Vérendrye had blazed the trail; with his own slender resources he had built the chain of forts known as "The Post

manner as to hit the mark whatever it may be, if he had been helped more and if he had not been thwarted above all by envy; envy is still here, more than elsewhere, a passion from which it is impossible to protect oneself. Whilst my father with my brothers and I were wearing ourselves out with work and expenses his progress was characterized as a beaver hunt only, his forced expenses only as a waste, and his statements as lies. Envy in this country is no halfway one, having for its principles the striving to speak evil in the hope that if only the half of its wicked reports be believed this will suffice to produce



WITHIN THE GORGE, BELOW THE GATE OF THE MOUNTAINS.

of La Mer de l'Ouest," which accomplished his financial ruin. The country which he had penetrated was rich in furs, as these shrewd men were quick to see. In vain the Chevalier wrote the following pathetic appeal:

"Montreal, 30th Sept., 1750.

"Monseigneur: There remains for me no other expedient than to cast myself at the feet of your Grace and trouble you with a recital of my misfortunes. My name is La Vérendrye; my late father is known here and in France by the discovery of the Western Sea, in which he devoted more than fifteen of the last years of his life; he proceeded, and compelled my brothers and me to proceed, in such

the result, and effectually. My father being so treated had the sorrow of turning back and compelling us to return more than once in arrears for want of help and patronage. He, at times, even has been blamed by the court, being more interested in traveling than in story telling until such time as he could tell them more fully. He ran in debt, he had no share in promotions, but he was not the less zealous for his scheme, persuaded that sooner or later his labors would not be without success or recognition. At the time when he devoted himself mostly to his good designs envy had the upperhand; he saw slip from his hand, to those of another, a post already es-

established by his own work. While he was thus hindered in his progress the beavers came in large quantity to another, rather than to him; but the posts, far from increasing, are being ruined, and the exploration is making no headway, which is what grieved him most. M. le Mqs. de la Galissonière came to the country in the meantime, and in spite of all that was told of good or evil, he judged that a man who had achieved such discoveries at his own costs and expenses, without any cost to the King, and had gone in debt for such good buildings, was worthy of another fate. A great deal of beaver in the Colony to the profit of the India Company, four or five posts remote from the forts, built as well as possible in so distant a region, a number of Indians became the subjects of the King and of whom several belonging to a party I commanded gave example to our tame Indians how to fight the hostile Indians, allies of England, seem to be true services, independently of the scheme started by the discovery and whose success could not have been earlier or more beneficial by resting in the same hands. It is thus M. de Mqs. la Galissonière was pleased to express himself, and without doubt he so expressed himself, to the court, since my father the year following (which was last year) found himself honored with the cross of St. Louis and requested with his children to continue the work begun. He cheerfully arranged to set out, spared nothing to ensure success, had already purchased and gotten ready all the goods for trading, had inspired me and my brother with his ardor when death carried him from us the (sixth) of the month of December last. Great as was my grief at the time I never could have imagined or foreseen all that I lost in losing my father. Succeeding to his business and expenses I dared to hope for a continuance of the same benefits. I had the honor to write at once to M. le Mqs. de la Jonquière, informing him of my recovery from sickness which had come upon me and which might serve as an excuse to someone to try and supplant me; I was answered that

he had made choice of M. de St. Pierre to go to the Western Sea. I immediately left Montreal, where I was, for Quebec, showed him the situation in which my father had left me; that there was more than one post on the Western Sea; that my brothers and I would be charmed to be under orders from M. de St. Pierre; that we would, if necessary, be satisfied with one post only, and that one the most remote; that we only asked to go ahead; that in forwarding the explorations we might take a portion of the last purchases of our father and of such as remained to us in the posts that at least we might have the consolation of making our best efforts to comply with the views of the court. M. le Mqs. de la Jonquière hurried, and, although he seemed to me affected by my representations; finally told me that M. de St. Pierre wished neither me nor my brothers. I asked what would become of our interests. M. de St. Pierre had spoken; there was nothing more to be done. I returned to Montreal with this consoling explanation.

"I sold a little land, the only property inherited from my late father, whose proceeds served to satisfy my most pressing creditors; meanwhile the season was advancing and it would be necessary to go as usual to the meeting points agreed on with my agents, to save their lives and receive the returns likely without this precaution to be stolen or abandoned. I obtained this permission with a good deal of trouble in spite of M. de St. Pierre, and only on such conditions and restrictions put upon the meanest voyageur; yet when M. de St. Pierre had hardly seen me he went away complaining that my starting before he did would injure him more than ten thousand francs, accusing me without further ceremony of having loaded my vessel outside the permission given me. This accusation was investigated, pursuit being made of my vessel. If M. de St. Pierre had joined me at the time he could have satisfied himself sooner. He joined me at Missilimakinak. If I can believe him, he was wrong in acting so; he is very sorry not to have either me or my

brother with him; he has assured me many times of his regrets and paid me many compliments; however that may be, such was his action, it is very hard for me to find therein good faith or humaneness. M. de St. Pierre might have obtained all he did, confirmed his interests with advantages that are surprising, taken a relative with him, without shutting us entirely out. M. de St. Pierre is an officer of merit, and I complain of nothing except having found him thus opposed to me. But with all the good impressions he may have made for himself on different occasions, he will have trouble in proving that in this he has conformed to the wishes of the court or respected the kindness with which M. le Mqs. de la Galissonière honors us. It was necessary even, to do us such harm, that he maligned us to M. de la Jonquière, who by himself is always inclined to do well. I am none the less injured by it; my returns this year amount to half, and in consequence of a thousand harassments my ruin is accomplished. For accounts contracted by father and myself I find I am indebted for more than 20,000 francs. I remain without money or patrimony; I am simply ensign of second grade, my elder brother has only the same rank as myself, and my younger brother is only cadet, L'Aguillette, and this is the actual result of all that my father, my brothers and I have done. That brother of mine who was murdered, some years since, by the Indians, victim that he was by the Western Sea, was not the most unfortunate one; his blood is to us nothing worth, the sweat of our father and ourselves has availed us naught; we are compelled to yield that which has cost us so much if M. de St. Pierre does not entertain a better feeling and communicate same to M. le Mqs. de la Jonquière. Certainly we would not have been, nor will be, useless to M. de St. Pierre, I hid nothing from him that I believed would be of service, and however skillful he may be, and supposing him to have the best intentions, I dare say he is likely to commit many mistakes and to lose more than one day by keeping us away from

him. The work done is already lost, and it seems to us that we should be really sure of the correct route to reach the end, whatever it may be. Our greatest punishment is that we find ourselves torn from a sphere which we proposed to finish with our best efforts.

"Deign, therefore, Monseigneur, to judge the cause of three orphans. The evil, great as it is, is not without remedy; it is in the hands of your Grace, for aid, for indemnification, for consolation, and I dare hope for these, finding ourselves thus excluded from the west, and it may be we shall find ourselves robbed, with the greatest cruelty, of a sort of heritage from which we have had the bitterness, and others the sweets.

"I have the honor to be, with a profound respect for your Grace, the very humble and very obedient servant,

"CHR. DE LA VERENDRYE." <sup>18</sup>

This appeal was denied. In a communication to the minister La Jonquière wrote:

"I have charged M. de Saint-Pierre with the business. He knows these countries better than any officer in all the colony."

La Jonquière decided to send two separate parties in search of the route to the Pacific; one to follow the course of the Missouri river, the other by way of the Saskatchewan. These two expeditions were headed, respectively, by Lamarque de Martin and Jacques Lagardeur de Saint-Pierre. Saint-Pierre was the same who had been in command at Lake Pepin in 1731, and abandoned the enterprise in 1737, with the drastic but impractical advice that the troublesome Sioux be exterminated. Saint-Pierre, though unscrupulous, was a gallant officer and he had spent some thirty-six years in posts in the wilderness, but he knew nothing of the remote country which he was then, for the first time, to visit.

Parkman conjectures with every probability of truth, that La Jonquière, Bigot, and Saint-

<sup>18</sup> See Macallister College Contributions. Second Series, p. 121.



Pierre formed a close corporation to monopolize the fur-trade of Manitoba and jointly share the profits thereof.

Certainly, there was some object other than justice in the motives which prompted the governor of Canada. The *Sieur de la Vérendrye* had given up his funds, his peace of mind, and probably his life in his beloved project. His sons had proved themselves no less devoted to the cause. The Chevalier had discovered the Saskatchewan river "and descended it as far as the forks;" intrepidly he had pushed on until he beheld the snowy barrier of the Rocky mountains. No man of his time had dared and done so much, yet he was thrust out and ignored. Just before the *Sieur de la Vérendrye's* death he had sent large quantities of supplies to his posts. Pierre and the Chevalier being denied the commission to find the Pacific, humbly asked permission to save that which might be left of these goods. They were willing to serve under Saint-Pierre, the usurper; they asked only to retain one fort of that which by all moral and ethical laws was their own. This modest request, also, was denied. The heirs of the *Sieur de la Vérendrye* were ruined.

The two expeditions sent out by La Jonquière made but little progress. While de Martin struggled up the Missouri, Saint-Pierre met with difficulties along the northern route. He appears to have been a man who hated the Indians and they, resenting his despotic methods, took advantage of every opportunity for revenge. On this occasion he roused the Knistensaux,—who had been La Vérendrye's friends,—to the point of open hostility. Infuriated at him they sought to murder him and burned Fort La Reine to the ground. Saint-Pierre and his men suffered considerable hardships. He despatched a small detachment under command of his lieutenant, Boucher de Niverville, toward the Saskatchewan river. Niverville fell sick and during the long, hard winter he and his companions nearly perished from starvation and exposure to the cold. When spring broke, towards the close of May, 1751, Niverville, him-

self unable to proceed, sent two canoes bearing ten men up the Saskatchewan river to a point called by Saint-Pierre "Rock Mountain." Following the orders of that commander this little company of men built a small fort "on the Saskatchewan, three hundred leagues above its mouth, near the site of the modern town of Calgary in Alberta,"—which they called Fort La Jonquière.

A series of disasters followed. Saint-Pierre made an unsuccessful attempt to reach Fort La Jonquière;—the Assiniboines rose and slaughtered his Indian guides and later, in the winter of 1752 they attacked him at Fort La Reine. Saint-Pierre's force was reduced to the merest handful and he was disgusted with the entire project. During the fall of 1753 he returned to Quebec.

Du Quesne, succeeded La Jonquière as governor of Canada. He appointed De la Corne commander of the posts of La Mer de l'Ouest in place of Saint-Pierre, who was ordered to French creek, Pennsylvania. Saint-Pierre had been at his new post but a short time when a young American officer, George Washington, visited him. Washington bore a letter to Saint-Pierre from Governor Dinwiddie of Virginia, "complaining of the encroachments of the French."

Days of trouble were ahead. Storm clouds lowered on the horizon. Canada was soon in the throes of the Seven Years War and such matters as the discovery of an overland route to the Western Sea sank into oblivion; and with the lack of interest in peaceable exploits the brothers La Vérendrye were forgotten.

In 1753 about the time that Saint-Pierre was returning from his unsuccessful explorations, the Chevalier, that gallant youth who was first among white men to behold the Rocky Mountains, was made ensign of the first grade. During the year of 1757, he received the commission of lieutenant. After the English had taken possession of Quebec, in 1761, the Chevalier and other fellow officers sailed for France, in the good ship "*Auguste*." On the fifteenth of November the vessel was wrecked not far from the North Cape of Isle

Royal. We are informed that "of the one hundred persons on board all perished but the captain, a colonial officer and five soldiers."

So, the Chevalier met his death, not in that wilderness where his life-work had lain, but on the seas, far from the object of his heart's desire.

Saint-Pierre was killed at a battle on Lake George in 1755. Father Coquard "the old associate of La Vérendrye" in a letter written to his brother shortly after this battle, says: "We lost on that occasion a brave officer, M. de Saint-Pierre."

Although the Sieur de la Vérendrye and his sons had failed to find the way to the sea of the West they had extended communication far into unexplored regions and helped, more than any other factor, to make possible the achievements of those who followed them. Speaking of the "Post of La Mer de l'Ouest," Bryce in his History of the Hudson's Bay Company writes:

"We are fortunate in having an account of these affairs given in De Bougainville's *Memoir*, two years before the capture of Canada by Wolfe. The forts built by Vérendryes' successors were included under the "Post of the Western Sea" (La Mer l'Ouest). Bougainville says, "The Post of the Western Sea is the most advanced toward the north; it is situated amidst many Indian tribes, with whom we trade and who have intercourse with the English, toward Hudson Bay. We have there several forts built of stockades, trusted generally to the care of one or two officers, seven or eight soldiers, and eighty *engages Canadiens*. We can push further the discoveries we have made in that country, and communicate even with California.

"The Post of La Mer de l'Ouest includes the forts of Saint-Pierre, Saint Charles, Bourbon, De La Reine, Dauphin, Pos Ko'ae, and Des Prairies (De la Jonquière), all of which are built with palisades, that can give protection only against the Indians."

"The Post of La Mer de l'Ouest merits special attention for two reasons: the first, that it is the nearest to the establishment of

the English on the Hudson Bay, and from which their movements can be watched; the second, that from this post, the discovery of the Western sea may be accomplished, but to make this discovery it will be necessary that the travelers give up all view of personal interest."

With the passing of the French regime in Canada, the posts of La Mer de l'Ouest were abandoned, the fur-trade which had supported them reverted to the English and the great object towards which they were but stepping stones,—the overland route to the Western Sea,—was for the time forgotten.

The course pursued by the Chevalier de la Vérendrye, when, under the guidance of the Bow Indians, he reached the Rocky mountains or an outlying spur of the Great range, is a matter of conjecture among historians. The journal kept by the Chevalier is too vague in character and meagre in detail to furnish the means of identifying any geographical location.

It is interesting and well worth while to consider what some of the leading authorities have said on this subject.

Granville Stewart, in his notes on Dr. Neill's article on the "Earliest Discovery of the Rocky Mountains via the Missouri River," published in Vol. I, Historical Society of Montana, Contributions, writes:

"From the general tenor of the foregoing narrative, the Historical Society is inclined to believe that the route pursued by Vérendrye was as follows:

"Starting from Ft. La Reine, on the Assiniboine river, they went up Mouse river in a southerly direction, and then crossed over to the Missouri a little below where is now Ft. Berthold. They then ascended the Missouri as far as the Gates of the Mountains, where the river breaks through the Belt range (near Helena, Montana), and ascended those mountains on the 1st of January, 1743. Thence they passed up Deep or Smith's river, and over to the head of the Musselshell, and from there they went south to the Yellowstone, crossing which, they went up Pryor's fork, and through

Prior's gap, to Stinking river, which they crossed, and continuing on south, came among the Snake Indians, on Wind river, who told them that on the south side of the Wind mountains was the river Karoskiou (Kanaragwa, in the modern Snake tongue), now called Green river. The Snakes also told them they would be killed if they tried to go any farther south, because war-parties of the Sans Acs band of Sioux, hereditary enemies of the Snakes, were always watching about the South pass, to kill and plunder them as they passed to and from the Green river, where lived another band of the Snake tribe. Here the party turned back, and 'on the 19th of May, 1744, they returned to the upper Missouri, and in the Petite Cerise ('Choke Cherry'—country), they planted on an eminence a leaden plate of the arms of France, and raised a monument of stones, which they called Beauharnois.'"

Parkman, describing the probable route taken by the Bow Indians with whom the Chevalier traveled, in their raid upon the Snake country, says:

"Through the whole of the present century the villages of the Snakes were at a considerable distance west of the Bighorn range, and some of them were even on the upper waters of the Pacific slope. It is likely that they were so in 1743, in which case the war-party would not only have reached the Bighorn mountains, but have pushed farther on to within sight of the great Wind River range."

Warren Upham, secretary and librarian of the Minnesota Historical society, in a letter to the librarian of the Montana Historical society, makes an interesting contribution to the store of information regarding the journey of the Vérendrye expedition through the northwest in 1743. He says, in part:

"The chief original sources of our knowledge of the Vérendrye expeditions are the Margry papers, published in French, at Paris. A very satisfactory manuscript of the route of this expedition, with platting of their courses as narrated, was supplied to our society last year from Capt. Edward L. Ber-

told, of Golden, Colorado. Bertold shows that quite surely the Vérendrye sons came out by southwest and south southwest marching to the Bighorn mountains. They first got a distant view of them, as the original journal in the Margry papers tells us, on January 1, 1743. On January 21, in a great war party of the Indians of the Plains, for attacking their hereditary enemies, the Shoshone or Snake Indians, at one of their great winter encampments, the Vérendryes reached the foot of the mountains which, as the journal says, 'are for the most part well wooded and seem very high.'

"If they went in this war raid around or alongside the north end of the Bighorn range, they may have passed beyond the Bighorn river, coming to the Shoshone camp near the river of this name tributary to the Bighorn river from the west, so that the mountains near whose base the camp of the Snake Indians would be the Shoshone mountains, close southeast of the Yellowstone Park. After studying the original journal and Captain Bertold's paper map I doubt his opinion that the expedition went further to the south or southwest, that it 'penetrated into the Wasatch mountains between Ogden and Green river.' That would take them into the southwest corner of the present state of Wyoming. Instead, I would think that not improbably their extreme advance to the Snake Indians' camp was somewhere in the foothills of the lofty and extended Bighorn range, and that, if they went beyond that range, it was only to the Shoshone mountains, as before noted.

"No consideration of the general route of return is given by Captain Bertold, but is well indicated by the narration of the Margry papers, showing that the lead plate was buried and the cairn erected on some hill or bluff overlooking the Missouri near the south line of South Dakota. It cannot be supposed, after a study of the original journal, that it was in Montana. It was far down the Missouri, more than a month's travel below the Mandan villages, to which they returned northward.

"The Vérendryes and the vast Indian horde



in their company made a camp on January 8, 1748, apparently very near the eastern end of the Bighorn range, where they left the women and children, while the warriors and the two Frenchmen advanced against the Shoshones, starting January 9, and coming to a deserted village or camped at the foot of a very high and wooded mountain after an advance of 12 days. This I think to have been very probably on the Shoshone river, tributary to the Bighorn from the west about ten miles south of the north line of Wyoming.

"But as the advance in those twelve days, while looking for the enemy, may well have been slow, it is quite possible that the Shoshone camp was either on the eastern or the western flanks of the difficult traveling, around the ravine-cut slopes of the northern half of the long and ever high range.

"Finding the camp of the Shoshone Indians deserted, and fearing that these foes were planning to cut off their retreat, the Vérendryes party fell into a disorderly panic and fled back to camp where they left the women and children.

"I believe that the Vérendryes' camp of January 8, 1743, was in the south edge of Montana or the north edge of Wyoming, not far northeast of the Bighorn mountains, and near the southeast corner of your present Crow reservation. The part of Montana which this expedition crossed was only its southeast corner, south of the Yellowstone river.

"The locality of the lead plate and cairn, \* \* \* was close to the fort of the Choke Cherry Indians on the Missouri somewhere in the region of the line between South Dakota and Nebraska. There, on a hill or bluff, near the fort, the Chevalier de la Vérendrye buried a plate of lead bearing the arms and inscription of the king, and built a 'pyramid of stones' in honor of Beauharnois, the governor of Canada. The Indians had no knowledge of the buried plate, but were told that the cairn was built to commemorate the coming of these Frenchmen to their country. It will be a most interesting object for the historians of the Missouri valley to identify

the spot and dig up that leaden record of 160 years ago."

Bishop O'Gorman in an able paper read at the biennial meeting of the State Historical Society of South Dakota, January 23, 1903, discusses the route of the Vérendryes and the probable location of the leaden plate. He, also believes that *Les Gens de la Petite Cerise* were a band of Sioux who camped along Cherry creek as well as on the Missouri river, and that "somewhere between Fort Bennett and Fort Pierre was that camp of the Little Cherry where the Vérendrye expedition rested for awhile."

Whether the Chevalier de la Vérendrye crossed the boundary lines of what is now Montana or not, it is impossible to say. From the preponderance of evidence,—if one may call learned speculation evidence,—it would seem that the Shining Mountains of the Chevalier were the peaks of the Bighorn range east of the Yellowstone Park as Thwaites, Parkman, Upham and others maintain; but we have no means of knowing whether he and his Indian convoys reached the Wind river range.

The much-mooted question of just how far west the Chevalier penetrated can only be settled by the discovery of the pyramid of stones called "Beauharnois" containing the leaden plate bearing the arms of France. More than one ancient cairn has been discovered and searched in vain for this record. Mr. Granville Stuart says:

"Among the papers of the late James Stuart, who was stationed, during the three years preceding his death at Fort Browning on Milk river and Fort Peck on the Missouri, was found a memorandum, evidently referring to a monument of which he had heard, and of which he made a note for the purpose of tracing it up; but his untimely death occurred before he had the opportunity of doing so. The memorandum reads as follows: 'Twenty feet in diameter—on river bluffs—round, and run to point—spaces between the boulders filled with green grass and weeds.' The fact of moss and earth having accumu-

lated in the interstices between the stones, so as to sustain grass and weeds, would indicate great antiquity, and the Historical Society (of Montana) are instituting inquiries concerning it, in the hope that it may prove to be Vérendrye's monument. The Indians of those regions erect no permanent monuments."

Such an ancient pile of stones as that described above was carefully examined on December 23d, 1904, by Mr. S. M. Corson and Mr. Julian Burd. Mr. Corson says that the cairn was "on an eminence overlooking the (Missouri) river, below the mouth of Deep creek." But although it was built in a manner totally different from anything known to the Indians, and between the stones were found moss and a "little black bush that bears red, sour berries" which signs denoted great age, the most diligent search on the part of the explorers failed to unearth the coveted plate.<sup>19</sup>

Many others have sought with as little success for "Beauharnois."

It is possible, though not probable, that the crude monument still exists in the secure loneliness of the prairie and that some day its hidden treasure will be exhumed to shed light upon the earliest history of the northwest.

The Sieur de la Vérendrye and his sons had failed to find the Northwest Passage to the Western Sea, even as Joliet, Marquette, La Salle, Sieur de la Noue and Charlevoix had failed; but of all that brave band the devoted efforts of these three had the greatest results and even their failure contained the seeds of success which was destined to bear fruit a generation later.

La Vérendrye was one of those heroic characters little understood or appreciated in his own time and all but forgotten today. Nevertheless, his place in history is impor-

tant and it is fitting that we glance back and review the achievements of the rugged old soldier and *coureur des bois*. Breaking into the wilderness in 1731, he established Fort St. Pierre at the head of Rainy river where it flows from the lake of the same name. In June of the year following he reached the Lake of the Woods and there erected Fort St. Charles. Fort Maurepas, he founded in 1733 at the mouth of the Winnipeg river. Fort de la Reine he built on the Assiniboine river at the present site of Portage la Prairie. In 1738, under his direction, M. de Louviere founded Port Rouge at the forks of the Red and Assiniboine rivers where the city of Winnipeg now stands. Fort Dauphin was built on the west side of Lake Manitoba and Fort Bourbon<sup>20</sup> on Cedar lake, an enlargement of the Saskatchewan.

Thus it will be seen that a vast country had not only been explored for the first time, but secured for the French Crown with fortified posts; and what was, perhaps, most important to the governmental financiers of that day, an enormously rich source of revenue,—the fur-trade,—was diverted from the Hudson's Bay Company of the English, to the French of Canada. La Vérendrye had, moreover, suffered and endured much. "These discoveries are \* \* \* more fatiguing and dangerous than open war," M. le Marquis de la Galissonière wrote of his labors with appreciation and truth.<sup>21</sup>

Oftentimes it happens that those who dare to take the first step, who risk and even sacrifice safety, fortune and life in the interest

<sup>20</sup> See Bryce's History of the Hudson's Bay Company, Chap. X, p. 89. Parkman asserts that Fort Bourbon stood on the eastern side of Lake Winnipeg, not on Cedar Lake. Half Century of Conflict, Chap. XVI, p. 14.

<sup>21</sup> Parkman's Half Century of Conflict, Chap. XVI, p. 36. The Sieur de la Verendrye in a letter quoted in this chapter speaks of Fort Bourbon as "the last on the lower part of Riviere au Biche." Macallister College Contributions. Second Series, p. 119.

<sup>19</sup> See "A Correction in Our History concerning Verendrye's and Lewis and Clark's Expeditions in Montana." By S. M. Coarson, M. S. Montana Historical Society Archives.

of a great cause and fail before that cause is won, go down to nameless graves forgotten by posterity, while others who achieve the *grand coup* of success which those early beginnings made possible, shine forever in the halo of glory. Thus it is with the *Sieur de la Vérendrye*, the trail-blazer of western exploration. He strove, persevered,—failed if

you will,—and died poor and unrecognized. It remained for the intrepid Americans, Lewis and Clark, who followed in his footsteps to finish that which he had begun and reap the reward of fame. But the narrative of their adventures forms another chapter of our story.

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## CHAPTER IV

### PRIMITIVE MONTANA AND ITS ABORIGINAL INHABITANTS

The country now embraced within the boundaries of Montana was a wild and rugged wilderness when it first revealed itself to the eyes of the early explorers. It was characterized by the huge spine and lofty altitudes of the main range of the Rocky mountains and numerous spurs, and by the vast, free sweep of prairie that rolled away to the blue horizon's rim.

Tradition says that the winters were longer and more rigorous, and the snow-fall heavier than now. The monster mountains were sheathed in glacial ice, their flanks covered with dense, sunless forests of giant cedar, many varieties of pine and tamarack, spruce, larch and fir. Fringing the myriad rivers and streams, silver-leaved cottonwood, quaking asp and willows grew. Of course the woods and the mountains and the flowers then growing on the untrodden prairies are the same today as they were in ancient times.

In the spring and summer this is a paradise of bloom. Kinnikinnick weaves thick, green mats patterned with crimson berries, over the ground. Under the moisture-conserving shade of trees, in the rich mold of the forests, spring multitudes of fragrant, pale-pink lily bells,—two pendant flowers on one hair-like stem,—*linneus borealis*, or twin flower,—the favorite blossom of the great Linneus who discovered it in Alaska. Briar roses, shading from white to crimson, grow in sweet-scented thickets. Purple clematis loops its garlands from limb to limb,—the delicate violet-colored blossoms swaying in the breeze. Wild hollyhock, tall and lush, tufted with masses of pale pink and lavender blossoms forms a jungle beneath the protecting and over-lacing boughs of the great forest trees. There

are orchids, most beautiful of which is the rose Calypso; forget-me-nots, blue bells, purple and yellow asters, brown-eyed mountain lilies, snow-lilies, and pale queen's cups, gentian flowers, columbine, violets,—white, yellow, white and pink syringa, flaming Indian paint brush and perhaps most wonderful, the white summer snow-fields of the cone-shaped Bear or Squaw grass. These are exquisite, infinitely-delicate masses of blossom, that whiten whole mountain sides, and are veritably floral snow. Another of the loveliest Montana wild flowers, is the Bitter Root. It grows close to the ground, has an exquisitely delicate silver-rose-colored blossom, and a root which was greatly esteemed by the Selish and kindred tribes, as an article of food. This plant, which abounds in the western portion of the Rocky Mountain country, has been adopted as the State Flower of Montana.

Each season, each degree of altitude is marked by its changing bloom, and it is a wonderful revelation to the flower-lover to watch the blossoms climb. First, one certain variety is found in sheltered valleys; later we find it on the slopes of the hills, then as the heat increases, higher and higher it goes until it ceases at a point where the rarified air and lean soil refuse to support vegetable life, other than the green cushions of moss with their fairy flowers of white and pink. In addition to the trees and flowers, numerous varieties of edible berries flourish. Wild strawberries, raspberries, buffaloberries, chokecherries, huckleberries, thimbleberries, gooseberries, sarvisberries, and many others attain perfection and bear luscious fruit. There are various nutritious roots, the camas,

*pomme blanche*, Oregon grape, and others which were used alike by Indians and whites.

Very briefly, such are the sylvan and floral growths of the mountain regions of Montana.

The mountains and plains were the home of many kinds of animals. The lord of the mountains was the great silver-tip or grizzly bear, huge of proportion and ferocious, if attacked. Of the bear family, there were and are the cinnamon, or brown and the little black bear, both in awe of their great silver-tip relative. The mountain lion, the wild cat, the lynx, the wolf, the coyote, the mountain goat and big horn sheep were all dwellers in the high places. Black and white-tail deer, antelope, moose and elk abounded. The streams were thick with colonies of beavers and otters, mink, martin, skunk, and badgers were plentiful. The little furry folk of the trees,—the squirrels and chipmunks,—were a merry chattering crew. The marmot whistled from the rocks where there dwelt also the coney and weasel. The Lewis and Clark journals refer to "vast herds of buffalo, deer, elk and antelope" near the confluence of the Yellowstone with the Missouri. In writing of these animals they observe "the deer alone are shy and retire to the woods, but the elk, antelope and buffalo suffered him (Captain Lewis) to approach them without alarm and often followed him for some distance." The journals of the early *voyageurs* abound in such references.

But of all the creatures of mountain or plain the buffalo was monarch. These huge, unreckoned hosts roamed the country at will, the horned kings of the North American continent. "He of the earth, the eagle of the air, reigned here supreme, a free and fearless pair."

The story of the buffalo is the story of the primitive West and so intensely is it bound up with the life of the aboriginal Indian that we can not study one apart from the other. Buffalo meat was the chief article of food of the Indians. From the hide, tipis, robes, shields, boats and almost every conceivable article of dress and furnishings were made. The horns, shaped and carved, served as

spoons. The bones furnished fat for pemmican, and even the intestines had their use,—for the preservation of pounded meat. Thus every portion of the animal from its horns to its hoofs contributed in some way to the economic existence of the Indians.

That the red man loved the buffalo we have ample evidence. Myth and legend are all rich in lore of the buffalo. Scarcely a religious rite was practiced in which the buffalo did not play some part. Among the Pieguns the virtue of the prospective mistress of the Sun lodge,—the Medicine woman who was High Priestess—was tested by peeling a buffalo tongue, and the feast of consecrated meat,—not unlike the Christian communion,—was composed of buffalo tongues which were held sacred to the Sun. The instrument of torture used by braves in the fulfillment of the Sun vow was nearly always a buffalo skull. Even in the kill the hunters were careful to observe certain ceremonies to propitiate the manitous of the buffalo, believing that the carcasses would become whole and return. The Indians' ultimate ideal, that spiritual Elysium of perpetual and eternal bliss,—was a great, sunlit country inhabited by the creatures who had shared the earth with them, chief among which was the buffalo.

Not only was the buffalo the Indian's main article of food, source of shelter, clothing, and spiritual companion but he was also the principal political factor. Nearly all of the bitter and bloody inter-tribal warfare was to gain or maintain favorable hunting grounds.

Twice every year the Indians sallied forth on their spring and autumn hunt. Certain favorite pastures of the buffalo were held through many years by one tribe and the right to hunt there defended to the death. Then not infrequently the chase ended in warfare. Not only did the bison cause hostilities among nations, but they were likewise the reason of internal strife. It is said that the Assiniboinés, or Sioux of the mountains, separated from the main body of the tribe on account of a dispute between the wives of two rival chiefs, each of whom persisted in having for her

portion the entire heart of a fine bison slain in the chase. Thus began a feud which split the nation into independent, antagonistic tribes.

Although the buffalo were hunted by the Indians and supplied them with almost every utilitarian article, the great herds were never appreciably depleted by the red men of the plains. We have seen that the utmost economy was used and practiced by them in their use of the buffalo and virtually every portion of the animal's body was carefully turned to some account. This economy was not caused entirely by the Indians' love for the buffalo, but also because the chase is necessarily a precarious means of existence and therefore when the kill was good it behooved the Indians to save their supply. Instances of wanton slaughter of buffalo are recorded but they were exceptional and it remained for the white man to accomplish the extinction of the vast and seemingly inexhaustible herds. Randall H. Hewett in his interesting volume "Across the Plains;" says:

"Several hunting parties crossed our trail at different times recently, going from the hunting grounds among the 'bad lands' at the north, to Denver and on into New Mexico. There were from ten to twelve men in each party, mostly Englishmen, all well armed and mounted, and having a dozen or more mules packed with stores and camp equipage. The number of men and the good firearms of the party no doubt had much to do in preventing an attack by a wandering band of Indians. These men reported that they had had 'jolly sport, you know,' in killing buffaloes, placing the number at near one thousand. They had been slain in pure wantonness, just for the 'fun of the thing.' It was a shameful business."

The slaughter of the buffalo attained its maximum in 1881-2. Colonel Samuel Gordon writes:

"The Indians hunted the buffalo, and so did those whites who shot and killed for the trophies of the chase, but the cowardly and

inhuman work that exterminated the Monarch of the Prairies was in no sense hunting."

The following is given from the pen of the same author, and although he deals with a certain section of eastern Montana only, from this description we may gather a clear idea of the disgraceful methods of the hide-hunters and almost unbelievable butchery of the herds:

"The secret of tanning and dressing the buffalo hide has never been acquired by the white man, but the belief that it had been discovered is responsible for the great slaughter of the buffalo that culminated about this time. A concern somewhere in Michigan had experimented in this line and had succeeded in producing a robe that was fairly pliable. Buffalo coats and robes were in demand. An average 'Indian tan' robe was worth, in the States, from \$10 to \$15. Agents were sent out to the frontier to employ good shots to kill buffalo, and, as a starter, they were paid \$2 a hide, on the prairie. It soon developed that a good shot, if favorably located, could kill almost at will, as the poor beasts were stupid things and if the enemy was concealed and to the leeward, they were practically at his mercy. The only limit to making big scores in the beginning of the industry was the resistance offered by the buffalo's thick hide and hair and heavy skull. The heaviest caliber of rifles then to be had were quite often found inadequate to the task of dealing out certain death, but inventive genius and skilled labor came to the rescue and perfected an extra heavy Sharp's rifle, against which Nature's armor was powerless to protect and the doom of the buffalo was written, signed and sealed. By this time the business had become systematized and the labors of the chase divided, so that the first-class hunter carried a half-dozen 'skinners' in his outfit and established a permanent camp somewhere in the vicinity of the ranging buffalo herds. The camp was generally a 'dug out' in the side of a 'cut bank,' obscured from view as much as possible and near some known feeding ground. Located at favorable points were places of concealment. —natural if possible, if not, then made to look



as natural as could be, so as not to excite the suspicion of the herd. According to the direction of the wind, the hunter would select one of these shelters before dawn and if undiscovered be ready to do business when the buffaloes had roused and were at their morning grazing. Poor brutes! The heavy rifle made but little noise and was deadly in effect, and when a peaceful ruminator would suddenly drop in a heap, from no apparent cause, his near neighbors would look at the prone carcass curiously, sniff apprehensively once or twice, and, seeing nothing to excite fear, foolishly fall to grazing again only to meet the same fate as soon as their movements gave them the proper exposure. Twenty-five, thirty, sixty a day were the scores. Perhaps some champion made a record-breaking 'century.' It was only a question of persistence in the man with the gun and the duration of daylight, for the ignorant brutes refused absolutely to stampede and generally stayed in one locality until the last survivor had dropped. The day's killing was regulated by the number of skinners the hunter had in his train. No more were killed than could be skinned while warm, for the killing was all done in winter and skinning was impossible once a carcass became frozen. The skinners were supposed to salt, roll and pile the hides safe from soaking by melted snows and easy of access for the teams that were to be sent out for them in the spring. Some did these things; many did not. As a general thing, there was a recklessness about the whole procedure that was a natural sequence of the loose business methods displayed by the principals; the men who put their money into the business. And here was a feature of it that is well-nigh inconceivable. The hunter was—nine times out of ten—an improvident, unreliable 'cuss' whose only recommendation was his ability to shoot. Such men never had a cent to equip themselves with, but found no difficulty in getting 'staked' to a team, wagon and harness, gun and ammunition, a camp outfit and grub for the party, an investment of from \$800 to \$1,000, in addition to which

the principal agreed to pay the hunter the going price for the hides, piled where killed, to be gathered by him in the spring, and as an additional evidence of the lunacy that afflicted otherwise intelligent business men at this time, they did not hesitate to make cash advances during the winter on this supposititious killing. It was not at all unusual for the hunter to show up in town once or twice during the winter for a season of recreation, on which occasions he would strike his backer for 'a few hundred' to enable him to do the square thing by the boys, and the chumps would meekly dig up, blindly accepting the report of operations, on the strength of which the advance was asked. In one sense, it was a case of 'have to,' as, if refused, the hunter was liable to quit and then the principal would have the camp of skinners on his hands with no compensating income. The windup of such loosely managed affairs may well be imagined. In the spring it was generally found that the killing had been largely overstated; that the hides had been poorly handled and left to rot in pools of snow and water and those that were recovered and brought in, when shipped to eastern tanners, were in such bad condition that they rarely repaid the freight from Miles City eastward, leaving the bulk of the original investment a permanent debit to experience. In the spring and summer of 1882 there was shipped out of Custer county, Montana, by boat and rail, about 180,000 buffalo hides, and when it is estimated that, owing to careless handling, this number did not represent more than seventy-five per cent. of the killing of the previous winter, and when it is further considered that this work of extermination had been going on in a smaller way for some two or three years and continued in a smaller way for another year or two, it may be granted that this locality did its full share in the extermination of this noble animal. The winter of 1880-81 was the record breaker in buffalo killing, owing, no doubt, to the very deep snows of that winter, making it almost impossible for the herds to move. It was estimated that fully 250,000 were killed that

winter in what was then Custer county. The humanitarian will deplore this chapter in our history; the fatalist will argue that in the development of the west the buffalo was fast becoming an obstacle and his removal was provided for. Whatever may be the conclusion, there is no room to doubt the dependent fact. With the exception of two or three sickly, captive herds of less than a hundred head each, the buffalo is extinct."

This same flower-sown, forest-clad region, the home of the grizzly bear and the buffalo, was also the hunting ground of many different Indian nations. The principal tribes ranging

than outlying spurs of the main range of the Rockies and the Indians with whom they came in contact were only such tribes as hunted and travelled to the east of those mountains. Father Coquard writes that after leaving the Mantanes or Mandans, he and his companions encountered the Brochets. It has been suggested that these Brochet or Fish people may have been the Assiniboines who are called Hohays or Fish netters by the Dakotahs. Next in order were the Gros Ventres. They were composed of two separate tribes, the Atsina, formerly a band of the Arapaho, and the Hictelos. These latter, like the Crows,



THE TRAVOIS, A RELIC OF THE PAST.

to the east of the main range of the Rocky mountains were the Assiniboines, the Snakes or Shoshones (who dwelt both east and west of the range) the mountain and river Crows, Absarokee or Bird People; the Cheyenne of Algonquin stock; the Gros Ventres and the Blackfeet. To the west were the Kalispells or Kalispehlms, the Kootenais and the Selish or Flatheads. The Nez Percés also hunted with the Selish and Kootenais.

The earliest accounts of these tribes are given by Father Coquard an associate of the Vérendryes; the Vérendryes, themselves, Bougainville and Lewis and Clark. The expeditions of the Vérendryes penetrated no farther

were a band of the Minnetarees, a branch of the great Dakotah family. They are also known as Gros Ventres of the Prairie (Atsina) and Gros Ventres of the Missouri (Hictelos). They roamed the country watered by the tributaries of the upper Missouri and the Yellowstone rivers, and are believed to have once camped along the Assiniboine and Red rivers. In a report to the commissioner of Indian affairs written by Governor Ramsey of Minnesota in 1850, he says:

"The chief of Red Lake Chippeways of Minnesota, some years ago, met a Gros Ventres, towards the sources of the Missouri. They learned that the smoke of the Gros Ven-



tres lodge once arose at Sandy Lake, and that they had a large village of earthen houses at the mouth of the Savanna river, which empties into the St. Louis."

The Crows or Absarokee (Bird People) were next met by the explorers. There were two branches of the Crow nation, the River and Mountain Crows. There are many traditions of the Crows' southern origin, some writers maintaining that they migrated from Mexico and that the name Absarokee is derived from a species of sparrow-hawk found in Mexican territory. Another authority states that about one hundred and fifty years ago a large and powerful Indian nation dwelling along the Missouri was threatened with famine. A buffalo was killed and the flesh of the one beast divided among multitudes served to whet rather than satisfy their appetites. Two rival chiefs became involved in a violent quarrel over the apportionment of the meat. They were both powerful leaders; both had about the same number of followers and the same degree of prestige. The feud grew into open hostility with the result that one band set out for the Rocky mountains, settling along the Yellowstone, the Big Horn, the Powder and the Wind rivers. These people became known as the Crows. The Wind river branch of the tribe associated for a time with the fierce and war-like Shoshones or Snakes. The latter considered them as unwelcome interlopers and in the battle of Crow Heart Mountain drove them out to ally themselves finally with the main body of their own tribe on the banks of the Yellowstone and the Big Horn.

The Selish or Flathead who are mentioned next by Father Coquard dwelt along the Flathead Lake and in the Bitter Root valley on the western slope of the Rockies. However, they crossed the range frequently to hunt buffalo on the Judith and Musselshell rivers so it is likely that upon one of these expeditions the Vérendryes encountered them. We shall consider them later in their proper place.

The Blackfeet and the Dogfeet appear next in the narrative. The Dogfeet were merely a

band of the former tribes. The Blackfeet or Siksika were a powerful Algonquin confederacy composed of the North Blackfeet or Siksika proper, the Bloods and the North and South Piegans. These confederated tribes formed the Blackfeet nation. There were allied with them at various times the Atsina or Gros Ventres of the Plains and the Sarsi. They camped and hunted over a vast area from near the North Saskatchewan river in Canada to the southern headwaters of the Missouri in Montana, from "about longitude 105 to the base of the Rocky Mountains. They were famous horsemen and on their campaigns crossed the Rocky Mountains ranging far to the west and south. They are known to have visited the Great Salt Lake and many suppose that they penetrated even to Old Mexico. At an early date they practiced simple agriculture, raising tobacco, etc., etc., though they were essentially a nomadic people and amongst the greatest hunters of the plains."

Bougainville gives a more detailed account of the tribes. He writes of the *Sieur de la Vérendrye*: "He met on the banks of this river (the Missouri), the Mandans or White Beards, who had seven villages \* \* \* next to these were the Kinongewiniris, or the Brochets, (Assiniboines) in three villages; and toward the upper part of the river were three villages of the Mahantas." These were probably the Gros Ventres whom Lewis and Clark visited in 1804. Bougainville continues: "All along to the north of the Wabiek or Shell river (probably the Musselshell) were situated twenty-three villages of the Panis." These Panis were likely Aricarees who were so called by the Mandans. Again quoting Bougainville: "To the southwest of this river on the banks of the Ouanaradeba, or La Graise (believed to be the Wind river of modern geographers) are the Hectanes or Snake tribe. They extended to the base of a chain of mountains which run north-northeast." He met in the vast expanse of country drained by the Missouri, the Mahantas, the Owiliniok or Beaux Hommes consisting of



four villages. Opposite the Brochets dwelt three villages of Blackfeet consisting of a hundred lodges each. Across from the Mandan settlements were four villages of Ospeka-kaerenousques, Flatheads or Selish. Opposite the Panis were settlements of Arcs or Knisteneaux and three villages of Utasibaut-chatas of Assiniboel. Following these to the west were the Kakesch or Little Foxes in two villages; three villages of the Piwassa or Great Talkers. The Kakokoschena or Gens de la Pie occupied five villages and the Kiskipis-ounouini or Garter tribe, seven villages.

The Chevalier de la Vérendrye in his journal refers to various bands or tribes of Indians of which we have no knowledge today. From their geographic distribution, however, we may guess with some degree of probability who they were. The Horse Indians, who were supposed to know the way to the Pacific, are without historical identity. Parkman suggests that the Cheyennes have a tradition that they were the first tribe of their vicinity to use horses; therefore he conjectures that the northern branch of that nation may have been the Horse Indians of La Vérendrye. *Les Beaux Hommes*, or Handsome Men, who received the Frenchmen with marked courtesy and hospitality, were not unlikely the Crows, Absarokee or Bird People of modern days, who were of old noted for their physical perfection. In any event the Vérendryes found *Les Beaux Hommes* in the Crow country where they were apparently at home.

The Little Foxes and Piöya were obscure bands of whom we have no ethnological trace. The *Gens de l'Arc*, or Bow Indians, who welcomed the white men and whose great chief loved the young Chevalier as a brother, were probably a band of the Sioux nation as were also the Choke Cherry Indians who camped near and enjoyed friendly relations with them. All of these various bands or tribes,—the Horse Indians, the Bows and the Choke Cherries were terrorized by the merciless and combative Snakes who descended upon them, murdered their warriors and reduced their women and children to slavery. It was on a war-raid

against the Snakes that the Bow Indians took the Chevalier de la Vérendrye to the base of the Rocky mountains. Parkman draws the following conclusion: "The only two tribes of this region who were a match for the Snakes were the Sioux and the Blackfeet. It is clear that the Bow Indians could not have been Blackfeet, as in that case, after the war-party broke up, they would have moved northward to their own country, instead of east-southeast into the country of their enemies. Hence I incline to think the Bow Indians were a band of Sioux or Dakotas—a people then, as since predominant in that country.

"The banks of the Missouri in the part which La Vérendrye would have reached in following an east-southeast course, were occupied by numerous bands or sub-tribes of Sioux, such as the Minneconjou, Yankton, Oncpapa, Brulé, and others, friends and relatives of the Bow Indians supposing these to have been Sioux."

The Snakes, Shoshones or *Gens du Serpent* were at once ferocious and powerful and belonged to the great Shoshonean family, one of the most important among the North American Indians. The feud between them and the Sioux was hereditary and lasted until comparatively recent years. They roamed and hunted over a wide extent of territory, principally to the west of the Bighorn mountains, even penetrating to the Pacific Coast. Lewis and Clark encountered the Shoshones "at nearly the extreme northern point of the geographical distribution of the great Shoshonean family." This nation with its many offshoots, according to Dr. Elliott Coues, "occupied a large area of the great interior basin of the United States. From this area the general boundary trended south and considerably eastward, nearly to the Gulf of Mexico. The stocks successively bounding the area on this hand are the Siouan and Kiowan, in what is now Wyoming, the Algonquian in Colorado, a corner of Caddoan (middle group) in Kansas, Siouan again in Kansas and the Indian Territory, then Caddoan (southern group) nearly to the Gulf, from which the Shoshon-

can were cut off by the Karankawan and Coehuiltecan families. The southern boundary of Shoshonean area was, in a general way, the Colorado river, where Shoshonean tribes encountered the Athapascan tribes (especially Apaches and Navajos) in Arizona and New Mexico, and Yuman tribes in Arizona and Southern California. They had, however, an isolated outlying group in Arizona (the Chemehuevis). They touched the Pacific for a little distance just north of Yuman tribes, but elsewhere were cut off from the ocean by that extraordinary agglomeration of diverse family stocks which were massed on the coast of California and Oregon. On the northwest the Shoshoneans were bordered by Shahaptian and Selishan tribes, in Oregon and Washington. The 'hub' of this great area, of very irregular outline, may be located about Great Salt Lake; and Shoshonean tribes, to speak roundly, occupied Utah, Nevada, most of Colorado, much of Oregon, southern Idaho, western Wyoming, part of southern California, with parts of Montana, Kansas, Indian Territory, Texas, and New Mexico, respectively, and a spot in Arizona."

To the Shoshone nation belonged Sacajawea, the Bird Woman, the brave and devoted guide of Lewis and Clark, to whom they owed such a debt of gratitude.

Passing to the western slope of the Rocky mountains we find the Flatheads or Selish. The Selish proper, living in the Bitter Root valley, were one branch of a group composed of many sub-nations collectively known as the Selish or Salashan family.

Lewis and Clark came in contact with them on September 5, 1805. The camp was composed of 33 lodges which sheltered approximately 400 people. The explorers assert "they are called Ootlashoots and represent themselves as one band of a nation called Tushepaws." These people were of a totally different linguistic family from the branch of the Selish family hitherto met with by Lewis and Clark, who encountered them somewhat near the northwest extremity of their "geographical distribution." The so-called Flat-

heads of the Statistical View are situated "on the west side of a large river, lying west of the Rocky mountains, and running north, supposed to be the south fork of the Columbia river." The stream was, as a matter of fact, the north branch of the Columbia, or the most western of the three main affluents which form the Missoula. In 1836 Gallatin designated this group of Indians as Selish or Flatheads, describing them as dwelling on "either the most southern branch of Clark's river or the most northern branch of Lewis's river. The name "Flathead" applied to the Selish Indians dwelling in the Bitter Root valley has lead to confusion and misunderstanding. Lewis and Clark assert that: "The custom, indeed, of flattening the head by artificial pressure during infancy prevails among all the nations we have seen west of the Rocky Mountains. To the east of that barrier, the fashion is so perfectly unknown that the western Indians, with the exception of the Allialan or Snake nation, are designated by the common name of 'Flatheads.'" Powell names 64 principal tribes, all belonging to the Flathead or Salishan family. The term "Flathead" as applied to the Selish of the Bitter Root is a misnomer. The traditions preserved and handed down by the oldest Indians have no hint of the custom of flattening the heads of infants. This practice was common among the Chinooks and other tribes dwelling near the mouth of the Columbia river.

The Selish themselves recognized kinship and enjoyed fraternal relations with the Pend d'Oreilles, or Kalispehlem, the Coeur d'Alenes, the Colvilles, the Spokanes and the Pisuquous. They intermarried with the Nez Percés of the Clearwater, who were, however, of different stock as we shall presently see. The Kootenais, dwelling somewhat to the north, hunted with the Selish and their kin. The Bannocks, a Shoshoneau tribe ranged over the Western part of Montana.

The Nez Percé, or Chopunnish, was the main tribe of the Shahatian family which included the Nez Percés proper, dwelling in the mountains and the Polanches of the plains.

According to leading ethnologists other branches of this family were the Walla-Walla, Pelooses, Yakimas, and Klikatats. Lewis and Clark encountered a tribe near the Great Falls of the Columbia, whom they name the Eneeshurs or Enshurs, of Shahaptian stock. This band is unknown today so it either became extinct or its old designation was forever obliterated. The various tribes of this family lived along the banks of the Columbia and its tributaries, extending from the Cascade range to the west, and the Bitter Root range to the east; from approximately 46 degrees N. northward and 44 degrees to the south. The Selish tribes adjoined them to the north, northeast and northwest. On the south dwelt the Snakes or Shoshones; on the west were the Chinooks and Waiilalpuan. The Nez Percés proper who resided in the vicinity of the Bitter Root mountains were a noble, intelligent and handsome people. The pages of Father DeSmet ring with their praises. They were clean of body and morals, friendly to the white men and attentive to their teachings.

In northern Montana dwelt the Kootenai or Kutenai. They belong to the Kitunahan family of Powell which is distributed over parts of southeastern British Columbia, northern Montana, Idaho, and from the lakes about the sources of the Columbia, to Lake Pend d'Oreille. The traditions of the Kootenais seem to indicate that they were formerly east of the Continental Divide, likely in central or eastern Montana, and the suppo-

sition is that they were driven thence by their ancient foes, the Blackfeet. The Kootenais are divided into two branches, the Upper and Lower Kootenais, who speak somewhat different dialects. The Upper Kootenais, of which there are several sub-divisions, are more progressive and industrious than the Lower Kootenais, who are nomadic and are essentially a lake and river loving people. The Kootenais were sun-worshippers. Physically and intellectually they were a superior tribe though of recent years many of those dwelling on Flathead lake have become inferior and degenerate. In the old days of the war-path they frequently crossed the Main Range over the more northern passes to wreak their vengeance upon the Blackfeet, hunt buffalo and steal horses.

The Kalispels are of Selish stock. They are divided by Gibbs into "The Kalispelms or Pend d'Oreilles of the Upper and Lower Lake and Silka-tkml-schi or Pend d'Oreilles of the Upper Lake. The Kalispelms were on friendly terms with the Selish of the Bitter Root and hunted with them in the valley of Sin-Yal-Min, the former rendezvous of the cognate branches of the great Salishan family."

Such is a brief picture of primitive Montana with its icy mountain heights, its dense woods and vast flowing prairies; its flowers, animals and those native tribes who held undisputed possession until the form of the white man showed over the eastern horizon and he became Master of the Land.



## CHAPTER V

### THE INFLUENCE OF FRANCE AND SPAIN—THE POLICY OF JEFFERSON—THE LOUISIANA PURCHASE

One of the most important events in the history of the United States was the Louisiana Purchase, consummated in 1803 under that master-statesman, Thomas Jefferson. This tremendous stroke gave to us a territory which "comprised that great central section of the United States lying between the Mississippi river on the east and the Rocky Mountains on the west and extending from the Gulf of Mexico to the British possessions. Its greatest width at the extreme north was about a thousand miles; its greatest length, from the mouth of the Mississippi to the extreme northwestern point, was about two thousand miles. The narrowest portion was what is now the state of Louisiana,—Texas then being a part of Mexico, and, with California and the country west of the Rockies, a possession of Spain." Not only this rich empire did we acquire, but also that which then was an issue of paramount and international importance,—the free navigation of the Mississippi river. The Louisiana Purchase which has been called "the greatest real estate speculation the world has ever seen" was the ripest fruit of Jefferson's statesmanship.

In 1783, while Jefferson was living quietly in Virginia, two events occurred which suddenly revived the interest of the civilized world in the vainly-sought Northwest Passage, or indeed, any route across the continent that would eventually lead to the Pacific and the Orient and thus give to the nation of the discoverer, primary rights of trade and occupation.

The first of these was the formation of the Northwest Fur Company in Montreal, for the

extension of the fur trade; the second was the publication of the journal of John Ledyard, the romantic adventurer, which gave a thrilling account of Captain Cook's third and last voyage.

London, especially, was on the *qui vive* and sums of money were raised at once for the exploration of the West. People recalled the abortive attempts of daring path breakers in former years. Indeed, from the earliest settlement of the Mississippi valley, there had existed a fixed belief in a westward flowing river located on the far side of some sort of divide, which was the natural, geographic route to the Pacific, thence to China and Japan.

We shall review briefly the more important of these ambitious enterprises and the resultant sum total of knowledge of that unexplored West, with its lure of power and wealth.

In 1673 Joliet and Marquette discovered that the Mississippi river emptied in the Gulf of Mexico but they were convinced that the father of that stream,—the seemingly interminable Missouri,—must be the water course which eventually led to the Pacific. Lugtenberg's chart, prepared in 1700, from the accounts of Indians, depicted a water way connecting Lake Superior with that which he named the "Straits of Anian." The Baron Lahontan, a French explorer of inventive genius equal to some of our modern adventurers, explored the west country and published a book on his travels in North America, in which he represented himself as having discovered the source of the river of the West.

French dispatches of 1717-18 afford proof that at that time the belief was current that the Missouri had a tributary which extended

to the Pacific and opened the channel of trade to the Orient. Imbued with this idea, two Frenchmen, La Harpe and Du Tisne, set out on separate expeditions up the Missouri. Both failed. In 1722, De Bourgmont, a representative of the Company of the Indies, founded Fort Orleans on the Missouri near Grand river, for the purpose of securing the Missouri valley trade, lest it be monopolized by the Spanish traders then coming into prominence from the Northwest. He also wished to protect all settlers, especially the Germans.

An expedition under the leadership of two Frenchmen named Malett, penetrated to a portion of what is now Colorado by following the southern fork of the Platte. They then turned southward, wintered at Santa Fe where they separated into two parties,—one crossing the plains to the Pawnee Indians, the other descending the Arkansas to the Mississippi. Bienville was governor of Louisiana. It is amusing to note that he was of the opinion that the country discovered by his compatriots was a portion of the Chinese Empire. Champlain's agent, Jean Nicolet, had likewise expected to find Chinamen in Wisconsin on the shores of Green Bay, and La Salle, in naming the rapids of the St. Lawrence above Montreal, La Chine, perpetuated his belief that this, indeed, was the road to the Mongolian Empire. Not until Bering's explorations was it definitely proved that the American continent was not a portion of Asia.

Finally in 1753, DuMont published in Paris, "*Memories de la Louisiana*" which gave to the world an extraordinary account from Le Page du Pratz, who quoted the remarkable tales told to him, in 1725 by a Yazoo Indian named *Moncaht-Ape*. The sum and substance of the story was that this Indian had undertaken a marvelous journey about 1700. He had gone towards the sunrise, to the Atlantic, seeing Niagara Falls and the Bay of Fundy. He afterwards went "toward the setting sun." His wanderings took him to the Ohio river, across the Mississippi near the entrance of the Missouri, up the Missouri to the Indian tribes on its banks; thence

to the river's source, across the Continental Divide and down the Columbia to the Pacific ocean. He saw the white men of the coast. Turning north he traveled "until the days grew longer" and he learned that the country beyond was "cut through from north to south." This of course refers to Bering Straits. His journey was said to have occupied five years.

There must have been the germ of truth in this extravagant narrative. Undoubtedly it was a composite of various explorations undertaken by many different Indians, finally amalgamated into one picturesque story by a vain old savage for his own personal aggrandizement and fame. In any event, the tale found credence, and we are told, influenced the maps of the French and English scientists until almost the end of the eighteenth century.

We have considered in a previous chapter the noteworthy explorations of the Vénérables.

From the above *resumé*, we may form a fairly correct estimate of all that had been accomplished in the exploration of the Northwest and also of the meagre knowledge of the country later to be embraced in the Louisiana Purchase.

This was the situation in 1783, when, after a period of inertia, interest was aroused by the two events to which we have referred,—the formation of the Northwest Fur Company—and the spirited narrative from the pen of young Ledyard.

Thomas Jefferson though living in retirement was at all times keenly alert to public affairs and particularly interested in the West. He heard of these stirring accounts of adventure and renewed plans for penetrating the country beyond the Mississippi which was then a *terra incognita*. Spain still possessed the Trans-Mississippi but Jefferson even then cherished a dream of some day blazing a trail across the continent. In a letter written in 1783 to General George Rogers Clark, "the hero of Kaskaskia and

Vincennes" and the elder brother of Captain William Clark, Jefferson said:

"I find they have subscribed a very large sum of money in England for exploring the country from the Mississippi to California \* \* \* they pretend it is only to promote knowledge. I am afraid they have thoughts of colonizing into that quarter \* \* \* some of us have been talking here in a feeble way of making an attempt to search that country, but I doubt whether we have enough of that kind of spirit to raise the money. How would you like to lead such a party? \* \* \* tho I am afraid our prospect is not worth asking the question."

It is needless to say that General Clark did not undertake this daring voyage of discovery. Three years passed. Meantime Jefferson was minister to France. At the French court he met John Ledyard, who had already had a sensational and romantic career. He was born in Groton, Connecticut, in 1751. He was obviously one of those restless spirits, the typical "rolling stone" who knows not quiet or repose. He studied at Dartmouth and a year before he graduated, left to visit the Six Nations. He studied theology, abandoned that and took passage as a sailor on a ship which was sailing for the Mediterranean sea. Always mercurial, Ledyard left the ship at Gibraltar, enlisted in an English regiment and in the capacity of soldier, visited the West Indies. He appeared again in 1778 as corporal of marines under Captain Cook. Ledyard was destined to become a mouthpiece of the daring maritime adventurer, and his account of his explorations under the doughty Captain, caused the nations of the Old and New World to thirst for further knowledge of the unknown.

Ledyard deserted from the British army. After eight years of wanderings he returned to Connecticut. He was fired with enthusiasm for organizing a fur-trading party to explore the Northwest Coast. In 1784 he went to Europe. There he tried to enlist the aid of moneyed foreigners but he was coldly received. At last, discouraged, with failure

apparent as his portion, instead of the realization of his ambitious dreams, he reached Paris where he met the American Minister, Thomas Jefferson. By reputation, the minister knew this youth well. In his autobiography Jefferson writes:

"He \* \* \* being out of business, and of a roaming, restless character, I suggested to him the enterprise of exploring the western part of our continent, by passing thro St. Petersburg to Kamschatka, and procuring passage thence in some of the Russian vessels to Nootka Sound, whence he might make his way across the continent to America; and I undertook to have the permission of the Empress of Russia (Catherine II.) solicited. He eagerly embraced the proposition, and M. de Semoulin, the Russian Ambassador, and more particularly Baron Grimm, the special correspondent of the Empress, solicited her permission for him to pass through the dominion to the Western coast of America \* \* \* the Empress refused permission at once, considering the enterprise as entirely chimerical. But Ledyard would not relinquish it, persuading himself that by proceeding to St. Petersburg he could satisfy the Empress of its practicability, and obtain her permission. He went accordingly, but she was absent on a visit to some distant part of her dominions, and he pursued his course to within 200 miles of Kamschatka, where he was overtaken (February, 1788) by an arrest from the Empress, brought back to Poland, and there dismissed."

After these misadventures Ledyard went to London where a coterie of friendly spirits procured a position for him to head an expedition to central Africa. He got as far as Cairo where he died in January of the year 1789.

Although this strange and daring man died with his ambition unrealized, he had done much through his writings to promote interest in his fond scheme and made others take up the work of exploration he had left undone. One of the most important voyages of discov-



ery, born indirectly of his influence, was that of Captain Gray.

In the city of Boston, in the year of 1787 Dr. Bulfinch, his son Charles and Joseph Barrell, a wealthy merchant, were discussing the adventures of Captain Cook and his gallant crew. The sagacious merchant recalled particularly Captain Cook's glowing account of the quantity of sea-otter, the superior quality of their fur and the high prices received for them by the Russians from the Chinese.

The result was that two vessels were equipped and an expedition fitted out to sail to the distant Pacific seas. One ship was called the "Columbia" and the companion, a sloop, was named the "Washington." The individuals who formed a co-partnership and launched this enterprise were Joseph Barrell, Samuel Brown, Charles Bulfinch, John Derby, Crowell Hatch and J. W. Pintard.

John Hendricks was in command of the "Columbia" and leader of the expedition. Robert Gray was captain of the "Washington." These ships sailed from Boston on September 30, 1787. They visited the Cape Verde Islands and the Falkland Islands. In January, 1788, they rounded Cape Horn and during a storm became separated. The "Washington" proceeded through the Pacific waters and reached the northwest coast near the 46th degree of latitude in August. At that point Captain Gray believed that he saw the mouth of a river. However, he was involved in difficulties, his vessel grounded, his party was attacked by Indians, one of them killed and another wounded, so he had no opportunity at that time to verify his conclusions. On the 17th of September the "Washington" sailed into Nootka Sound, the rendezvous agreed upon in the event of separation, and she was joined there some days later by the "Columbia."

Both ships wintered in this Sound and the "Columbia" continued there during the summer, gathering pelts. Captain Gray, on the "Washington" sailed the waters near by making explorations. He returned to Nootka and he and Captain Kendrick agreed that Kendrick

should command the "Washington," remaining on the coast to pursue his discoveries, while Captain Gray on board the "Columbia," should proceed to Canton, China, with a cargo of furs representing the entire catch of both ships.

This was carried into effect. Gray reached Canton, disposed of his pelts, purchased a ship load of tea and returned to Boston in August, 1790. He had carried the flag of the United States on its first voyage around the world.

While Captain Gray was on his voyage to and from the Orient, Kendrick sailed to the Straits of Fuca. He traversed their entire length to their confluence with the Pacific, latitude 51. He discovered that Nootka and its environs formed an island which was named Vancouver for the British commander, who sailed these waters a year after Kendrick, yet reaped the honors of discovery.

Kendrick was killed by an unfortunate accident while exchanging a salute with a Spanish ship, off the Sandwich Islands.

The Columbia under Gray after discharging her cargo, was refitted by her owners and sent on a second voyage. She left Boston on September 28, 1790, and reached a point near the entrance to Fuca's Straits on June 5, 1791. Captain Gray remained in these waters during the next summer and winter trading, when he could, and making explorations. During the spring of 1792, Captain Gray determined to sail southward to the point where he believed he had seen a river debouching into the sea.

On this cruise he met Vancouver's expedition. He told two of the English officers of his opinion that the mouth of a river existed somewhere about the latitude of 46 degrees. Vancouver discredited the statement. He writes:

"I was thoroughly persuaded, as were also most persons of observation on board, that we could not have passed any safe navigable opening, harbor, or place of security for shipping, from Cape Mendocinus to Fuca's Strait."

Gray pursued his course southward. On

May 7th, 1792, he "saw an entrance which had a very good appearance of a harbor." Entering, he found a bay, which he named Bulfinch's harbor, for Dr. Bulfinch, one of the ship's owners. It is now known as Gray's harbor.

On May 11th, 1792, his labors were rewarded and he found at last the mouth of the Columbia river. The log-book of the ship gives the following account penned by Captain Gray:

"May 11, (1792), at eight p. m., the entrance of Bulfinch's harbor bore north, distance four miles. Sent up the main-top-gallant yard, and set all sail. At four a. m. saw the entrance of our desired port, bearing east-south-east, distance six leagues. \* \* \* At eight a. m., being a little windward to the entrance of the harbor, bore away and ran in east-north-east between the breakers, having from five to seven fathoms of water. When we were over the bar, we found this to be a large river of fresh water, up which we steered. Many canoes came alongside. At one p. m. came to, with the small bower in ten fathoms black and white sand. The entrance between the bars bore west-south-west, distance ten miles; the north side of the river a half mile distant from the ship, the south side of the same two and a half miles distance; a village on the north side of the river, west by north, distant three-quarters of a mile. Vast numbers of natives came alongside. People employed in pumping the salt water out of our water-casks, in order to fill with fresh, while the ship floated in. So ends."

Thus it was proved for all time that a great river did flow into the Western Sea.

The discovery of Captain Gray was an important one for the future of the United States. Indeed, his finding of the Columbia river was the chief claim of our government, in years following, to that vast and fertile area drained by this great river of the West,—the sources of which were discovered in 1805 by Lewis and Clark.

Gen. Henry Knox, secretary of war under George Washington, who had become

interested in the exploration of the West, wrote in confidence to Gen. Josiah Harmar, at that time in command of the western frontier with headquarters at Cincinnati, informing him of the importance of securing "official information of all the western regions." He also advised finding "some practicable plan for exploring that branch of the Mississippi called the Missouri, up to its source."

General Harmar took counsel with Gen. Arthur St. Clair, governor of the Northwest Territory, with the result that Capt. John Armstrong, a noted path-breaker and woodsman, in command at Louisville was chosen for the important mission. Apparently Armstrong scorned all aid in his daring venture. In any event we find that in the spring of the next year he proceeded absolutely alone up the Missouri for a considerable distance above St. Louis. He intended to continue onward across the Continental Divide to the Pacific Coast. His plans were nipped in the bud by news from French traders who informed him that the various bands of Missouri Indians were then involved in war and he could not proceed from one tribe to the other in safety. Consequently prudence overcame ambition and the worthy captain returned.

Jefferson continued to cherish his dream of northwest exploration. George Rogers Clark had ignored him; John Ledyard, visionary, impulsive, enthusiastic, impracticable, had failed and died. He now fixed upon a different type of man,—a scientist,—as the instrument through which his patriotic desire might be accomplished. This was none other than the famous French botanist, André Michaux. Michaux was born in 1746. His father determined that he should become superintendent of a farm of the royal estate; therefore he was instructed in agriculture at an early age. He married and his wife, Cecil Claye, died at the birth of their son, François Andre, in 1770. Michaux was overcome with grief and for surcease of sorrow plunged with avidity into scientific research. His chief interest was in botany, therefore this became his chosen pur-

suit. He determined to hunt rare plants in distant lands. In this he was aided by the vainglorious extravagance of the French court. The years 1779-81 found him in England, Auvergne, and also in the Pyrenees. From 1782 to 1785 he was in Persia. In the latter year he returned to France intending, however, to go back to Persia, but during his stay in his native land the French government employed him to go to North America, there to study the trees with a view to transplanting them to France. Bent on this congenial errand he crossed the Atlantic in 1785 accompanied by his child. After spending a year and a half in and about New York, Michaux moved to Charleston in 1787, because the climate of the southern city was favorable to his botanical pursuits. There he bought a plantation where he carried on his experiments. This same year he traveled through the mountains of North and South Carolina. A year later he was rambling through Florida. In 1789 he went to the Bahamas. On all these voyages he had one object,—the discovery and successful cultivation of rare plants to gratify the whim of his patron.

The year of 1794 found him journeying through Canada as far north as the Arctic regions of Hudson's Bay. Verily, the restlessness of the wandering Jew,—the unquenched thirst for fresh adventure was in the man, for upon his return to the United States he proposed to the American Philosophical Society at Philadelphia a plan to explore the unknown west, following the course of the mysterious Missouri.

In this instance mercenary motives may have influenced him, for, upon the outbreak of the French Revolution, his salary from the government came to an abrupt end. He was therefore dependent upon his own resources.

At the time of Michaux's proposal to the American Philosophical Society, Jefferson was secretary of state in Washington's cabinet. He was a distinguished member of the Society and Michaux's plan was directly in accord with his long thwarted desires. In the ar-

rangement entered into between Michaux and the Society, the latter was responsible for the funds or portions thereof. A subscription was opened and a fund of \$128.25 raised. Washington subscribed \$25,—Jefferson and Hamilton each gave \$12.50.

Jefferson appears to have given this matter his personal attention. In January he gave Michaux detailed instructions. In these he assures the explorer that the Society will see that he reaches Kaskaskia in safety under the guidance of Indians of that place who were then sojourning in Philadelphia. He ordered Michaux to cross the Mississippi and proceed by land to the "nearer part of the Missouri above the Spanish settlements." Afterwards he was to follow "such of the largest streams of that river as shall lead by the shortest way and the lowest latitudes to the Pacific Ocean. \* \* \* "It would seem by the latest maps as if a river called Oregon, interlocked with the Missouri for a considerable distance, and entered the Pacific Ocean not far southward of Nootka Sound." Jefferson felt that these maps were not beyond question and therefore authorized the explorer to use his own judgment. The instructions bade him observe the country, "its general face, soil, rivers, mountains, productions,—animal, vegetable and mineral. Under the head of animal history that of the mammoth is particularly recommended to your inquiries," the document read. In addition poor Michaux was told to study aborigines and stars and was informed that he had best write his field notes on "the back of the paper birch, a substance which may not excite suspicions among the Indians, and is little liable to injury from the wet or other smaller incidents."

On the 15th of July Michaux left Philadelphia for Kentucky with letters from Jefferson to Governor Shelby.

Unfortunately for Michaux the wily Genet had arrived in Charleston. He had come with a secret and sinister purpose. The French government, excited by Miranda, the notorious Venezuelan revolutionist, determined towards the close of 1792 to regain her for-



feited American possessions. In consequence of this, during the spring of 1793, Genet was sent as minister from France to the United States with no less an object than to acquire by fair means or foul, the Spanish colonies on the Gulf of Mexico and the region lying beyond the Mississippi river. This ambitious scheme of colonial enrichment included the freeing of Louisiana and Florida and the conquest of Canada. If possible the Frenchman was to enter into a treaty of alliance with the United States, but, in case the young government was unwilling to join forces with France, he had private commands to play the part of agitator instead of diplomat and incite the citizens of Louisiana and other colonies to revolution. He was to use every means to secure the aid of the frontiersmen of Kentucky in his daring enterprise. Genet approached George Washington and found him unswerving in his attitude of neutrality. Thus baffled, he had recourse to intrigue and he at once devoted his energies to revolution. Enlisting the aid of the consul at Charleston he organized a filibustering army of Carolinians and Georgians whose particular object was to take possession of the Floridas.

Andre Michaux apparently fell in with Genet at once and that worthy induced him to treat with the Kentuckians under the leadership of George Rogers Clark. Michaux was mercurial of temperament and was easily diverted from his original purpose. George Rogers Clark, whom Jefferson had first chosen as the great trail breaker to the Pacific, was to muster an army in Kentucky which, under the French flag, should proceed down the Mississippi river, and capture New Orleans. Genet planned that by the spring of 1794 a force of four thousand hardy frontiersmen would "strike simultaneously against the Spanish power on the Gulf of Mexico."

Michaux remained in Kentucky during the entire year, an intermediary between those two astute schemers, Genet and Clark. For one reason or another Genet's plots did not mature as quickly as might have been expected, so Michaux returned to Philadelphia in Decem-

ber and in the spring of 1794 he was with his shrubs and plants in Charleston. He expected to go to Kentucky and resume operations as a politician and a diplomat, but George Washington, cognizant of the intrigue, sent troops to guard the border and thus foiled the contemplated attack. Genet was in disgrace. He was ignominiously recalled by the French government, but before he left he revealed to Jefferson, Michaux's part in the proceedings. Meantime France, plunged in the horrors of the Reign of Terror, was forced to look to her own safety and thus abandoned her dreams of colonial power. In 1796 Michaux, too, returned to France. He appears to have been a mere tool in the hands of clever schemers. He was by nature a student and a scholar and as Dr. R. G. Thwaites aptly says "a rare plant or tree interested him much more than an American general or a plot to subvert Spanish tyranny." In summing up this rather pathetic failure Dr. Thwaites continues:

"It is fair to presume that had this energetic traveler and scientist not fallen under the malign influence of the Clark-Genet intrigue, and thus wandered from the line of professional duty, he would have succeeded in the great task of transcontinental exploration, for which Jefferson had intended him."

Thomas Jefferson, author of the Declaration of Independence, was inaugurated third president of the United States in 1801. With this administration the young government entered upon a new era. George Washington had held the new Union together; moulded it into a complete whole controlled by a conservative and powerful government. It had thrived and grown. The next step in its development was expansion and this was the problem that confronted Jefferson. It was no easy one. About the close of the Revolution the colonists had gradually spread out over a considerable area, settling along the Ohio and its tributaries and occupying a strip of country between two Indian confederacies, which flanked them to the north and the south. These Indian confederacies were controlled by European powers which used them to fur-

ther their own ends and check the expansion of the United States. The young nation, in its formative period, was unable to cope with the jealous Indians, or the greater power that lay behind them.

To understand the complex condition existing in Louisiana we must go back and review a most interesting period of history. France based her original claim to Louisiana on the right of discovery.

Robert Cavelier de la Salle was a Frenchman possessed of a brave and indomitable spirit. He started from Fort Miami in December, 1681, bent on extending the colonial boundaries of the French possessions. He passed by way of that which is now Chicago, descended the Illinois and the Mississippi to the Gulf of Mexico. During April, 1682, he built a column and a cross and formally took possession of the vast country through which the Mississippi and its tributaries flow, in the name of His Majesty, Louis XIV of France. He called this region *La Louisianne* in honor of his Sovereign.

La Salle again sailed from France in 1684. On this voyage he went to the Gulf of Mexico, intending to found a French colony at the mouth of the Mississippi, and thus strengthened the claim of his country to that vast dominion. He missed the river, arrived at Matagorda Bay on the Texas Coast and erected there a fort which became the nucleus of a colony. In March, 1687, he was murdered by a traitor in his own party, while on a visit to a branch of the Trinity river.

Thus at the sacrifice of his own life La Salle won for France the country tributary to the Mississippi, known as Louisiana. In turn the right and title of all subsequent possessions is based upon that original right of discovery claimed by France.

The French government controlled Louisiana until 1762, when, by a secret treaty, the full purport of which was not known in this country until 1837, France ceded Louisiana to Spain. Far from the parent government, the large and little known province had proved

to be a liability rather than an asset to the Crown.

Moreover, Louis XV foresaw the inevitable doom of New France and to prevent England from capturing the town of New Orleans, its environs, and the extensive French dominion west of the Mississippi, he ceded them to Spain. This occurred in 1762. A year later by the disastrous treaty of Paris, France yielded to England her entire possessions east of that river. France and Spain were united by a family compact which was strengthened by France's bestowal of Louisiana upon the latter nation.

From that time on Louisiana was the object of incessant international juggling. During the forty years which elapsed between France's cession of the territory in 1763 and the American possession in 1803 the province was the subject of endless contention. When the United States declared their independence, France was a willing ally and not only gave the Americans her support but also obtained for them the friendly cooperation of Spain. Her object was not one of fraternal and unselfish love. England, her hated enemy, had been humiliated by the New World power. In this France saw her opportunity. Through this baby nation just struggling into being, she might strike her foe a deadly blow. Also eventually she might dictate to the United States and become the actual controlling power in America. In her alliance with us, France had had no thought of interfering with the colonial possessions of Spain and she loyally upheld the demands of that country at the end of the Revolution. Spain desired to restrict the territory of the United States to the Alleghany mountains except in such sections as Kentucky and Tennessee where Americans had founded substantial colonies; she wished to establish and maintain a protectorate over the Indians dwelling near the Gulf of Mexico; lastly she insisted upon excluding the United States from the navigation of the Mississippi river. The American commissioners ignored the instructions which bade them to be controlled by the council of France. They entered

into a totally different preliminary treaty with England, in which that nation, as a conciliatory measure, acceded to our demands for a boundary on the Great Lakes, the Mississippi and St. Mary's rivers. What was of greater moment, she granted us the navigation of the Mississippi. This treaty, however, came to naught. France accepted its terms, but Spain denied the right of England to bestow upon us or any other nation a country and waterway of which she was in actual military control. Therefore as the real sovereign power of both Louisiana and Florida, she defiantly refused us the navigation of the Mississippi, which she considered "the key to her monopoly of Spanish America." England, repenting her generosity, accused us of violating our articles of the treaty and declined to grant us the territory lying between the Ohio, the Great Lakes and the Mississippi.

It has been said with truth that we of the present age of steam and electric railroads, rapid transit and inventions can not fully appreciate what the navigation of the Mississippi meant to our forefathers who settled in the west. They were isolated from the central cluster of States. The Appalachians formed a natural barrier between them and centers of commerce. They "knew only the pack-train, the wagon train, the river-craft, and the deep sea ship; that is, they knew only such means of carrying on commerce as were known to Greek and Carthaginian, Roman and Persian, and the nations of mediaeval Europe."

For a number of years the western settlers who had broken virgin soil and become planters, were not only without markets but virtually without protection. As early as the close of the Revolution we had "thrust a wedge of settlement along the Ohio and its tributaries between two great Indian confederacies on the north and on the south, each of which was anxious to check the advance of the United States." Thus the future of the entire government was threatened. Danger beset these frontier settlements on either hand when even the confederation of the original

States was but partly amalgamated into a homogeneous nation. The government thus handicapped could not antagonize the Indians, protect these western frontiersmen or get for them the boon for which they clamored,—the navigation of the Mississippi. Consequently the early influx of Americans that had made homes for themselves in Kentucky, Tennessee and Ohio grew restive.

The English perceiving this unsettled condition promoted opposition among the Indians to the further advance of the Americans across the Ohio and also encouraged the establishment of independent American colonies beyond the Alleghanies, hoping thus in time to annex them. Simultaneously England was preparing to recover Florida. Spain was equally active in the southwest. Representatives of that government pandered to the Indians, intrigued with the citizens of Kentucky and Tennessee, and sought by every means to induce these settlements to become dependencies of Spain. To force the issue, the navigation of the Mississippi was closed to Americans.

For a time under the extraordinary pressure of conflicting interests the allegiance of the western colonies wavered in the balance.

The Declaration of Independence and the formation of an actual government set at rest these fluctuations on the part of the westerners. However, during George Washington's presidency the French Revolution, at one fell stroke, deposed the reigning sovereign and thus ended forever the family compact between France and Spain which had played so important a part in the history of Louisiana. This mutual check had been a safeguard to the United States. Now a fresh danger was threatened.

In 1790 England and Spain were on the verge of war. Spain had seized some English ships in Nootka Sound. In the event of such hostilities and granting that England would likely win, the mastery of the Mississippi would pass from Spain to England, who, by offering free navigation of that river would gain the friendship of the west and incite a



revolution in the Spanish colonies. If this were done Spain's sovereignty would be overthrown and England would have access to a large and commercially remunerative territory.

William Pitt cherished dreams of great dominions for England in America. In February, 1790, he gave a hearing to Miranda, the Venezuelan revolutionist, who outlined a tremendous plan. It was briefly this: England should co-operate in the establishment of a new Spanish America. This should embrace in a confederacy the whole of South America with the exception of Brazil and Guiana, and it should furthermore include Central America, Mexico, Cuba and Louisiana. If England would lend her influence to this cause, she would exercise a protectorate over the confederacy.

Pitt went so far as to prepare for the capture of New Orleans and he hoped to proceed from that place into Mexico. At this critical time Jefferson was secretary of state under Washington. He was quick to see the threatened danger to this country. Obviously England was seeking to recoup her power. She held Canada and was likely to acquire Louisiana and Florida. He wrote in alarm:

"Embraced from the St. Croix to the St. Mary's on one side by their possessions, on the other by their fleet, we need not hesitate to say that they would soon find means to unite to them all the country covered by the ramifications of the Mississippi."

Jefferson advised the representatives of the United States to try to convince Spain that for her own welfare it would be best to cede Florida to this country and also grant us the long-coveted navigation of the Mississippi if we, on our part, should agree to guarantee her territory west of that stream.

France, no longer bound to recognize the family compact with Spain, repudiated it and the latter nation, left without support, yielded to the conditions of peace.

France cherished selfish motives in this issue. She, too, had hopes of colonial expansion. Miranda, the Venezuelan, who had plotted with William Pitt, now sought to enlist the

sympathy and support of France. Accordingly, pursuant to his schemes, the French nation sent Genet, of whom we have already read, as minister to the United States. We have seen how he was recalled by his government at the request of our own.

Meantime France was plunged in the throes of the Reign of Terror and in this internal turmoil she was forced to abandon her ambitious plans for power in the new world.

In 1795 Jay's treaty ended England's hold on the Indians dwelling to the north of the Ohio river. Spain, alarmed at her own weakness and fearing that under Jay's treaty England and the United States might form an alliance and strike at her southwestern possessions, reluctantly gave us the boundaries we desired and granted free navigation of the Mississippi.

We now possessed the eastern bank of the Mississippi river. This was a blow to France who had sought to regain Louisiana, in the treaty of Basle at the end of her hostilities with Spain in 1795. It was plain, after the signing of Jay's treaty, that France could not induce the United States to enter into a French alliance. Thwarted in this, she dictated the foreign relations of Spain and sought to secure new and large holdings in North America. The next move of France was, in 1796, to demand of Spain through her minister, that Spain cede to France the provinces of Louisiana and the Floridas, ostensibly that France might guard all of Spanish America and check the encroachments of the Americans.

Fearing a war with the United States, France persuaded Spain to retain possession of the forts on the eastern bank of the Mississippi in order to prevent their capture by the United States and England.

Such a movement was, indeed, on foot. Senator Blount of Tennessee was planning to muster an army of frontiersmen, seize New Orleans for England who he believed would give the assistance of her battle ships. Like the multitude of plots that had preceded it, this was discovered and exposed. Blount was

expelled from the senate in disgrace. Nevertheless, Spain was suspicious and delayed the evacuation of the disputed forts. In 1798 the prime minister Godoy, declining to sanction this attitude of bad faith on the part of his government, ordered the posts to be vacated. Because of his independence and honor, France plotted against him and accomplished his political downfall.

Tallyrand ardently urged the claims of France to Louisiana and Florida, declaring that his country would make them "a wall of brass forever impenetrable to the combined efforts of England and America." As a recompense to Spain for the loss of Louisiana, France suggested that the Papal legations and the Duchy of Parma should be created a principality over which the son-in-law of the King of Spain should reign.

The growing power and far-reaching plans of France were becoming a menace. Both England and the United States feared the strength of that nation. The exposure of that which was known as the "X. Y. Z. correspondence" revealed the arrogant claims of France, and created such a sensation in Congress that in 1798 it sanctioned the capture of French ships. During 1798 and 1799 open hostilities existed on the high seas. Washington, who had grown old by this time, was chosen commander-in-chief of the army and Alexander Hamilton was next in rank under him.

Once more William Pitt considered a plan to lend English support to a new and reorganized Spanish America. Again, seeing an opportunity to promote his plans, Miranda the Venezuelan, sought out Pitt and laid before him his daring schemes. England was expected to put an army in the field and a fleet on the seas; the United States was to furnish five thousand frontiersmen, used to trail breaking. They were to be commanded by officers of the Revolution. In return for the co-operation of England and the United States the Spanish colonies would do their utmost.

Alexander Hamilton became an enthusiastic supporter of this movement. He desired that

the United States should play a conspicuous part in the campaign and that the entire army be composed of Americans; in which event, he is quoted as saying "the command would very naturally fall to me."

As in the days of Washington's presidency, the destiny of this country was controlled by a cool-headed and conservative statesman—John Adams. He would countenance no such precarious venture with possibilities of endless complications. A new commission was sent to France in 1800 and through the diplomatic negotiations of that body, the threatened hostilities between that nation and our own came to an amicable end.

Napoleon Bonaparte now became the dominant force of Continental Europe. Among his dreams was that of a great New France. Accordingly in October, 1800, he "coerced the court of Madrid into a treaty of retrocession."

Carrying out the plans of Tallyrand, in return for Louisiana, Spain was to receive the made-to-order "Kingdom of Etruria" in Italy to be ruled by the Duke of Parma, the Spanish king's son-in-law. Spain stubbornly refused to yield up her right to east and west Florida, even though the great Napoleon sought by every means, but war, to obtain them.

There is every reason to believe that Napoleon planned to found a vast and powerful colonial empire west of the United States, thus controlling the Gulf of Mexico and the Mississippi Valley. In accordance with this policy just after the retrocession of Louisiana, a strong French force took possession of the Island of Santo Domingo and another started for New Orleans. The troops in Santo Domingo were confronted by the unexpected embarrassment of a negro uprising under Toussaint L'Ouverture which claimed their attention and consequently the French occupation of New Orleans, set for October, 1802, was delayed.

This delay probably changed the destiny of that territory. Had Napoleon secured his claim to Louisiana by military occupation, the United States would likely have accepted the condition. The instructions given by France

to the general designated to command her forces were indicative of her policy. She intended to strengthen her posts along the Mississippi and make the province so strong that it could defend itself against all possible incursions either by the English or the Americans. Alliance with the Indians was to be encouraged and the future governor of Louisiana, through adroit agents, was to keep in close touch with prominent westerners with a view to winning their allegiance. France determined to secure both banks of the Mississippi and exercise a tyrannical monopoly of that water course as Spain had done before her. It has been aptly said:

"It was not simply Louisiana that Napoleon desired to rule, but the interior of the United States, and all the approaches to the Gulf of Mexico,—a great colonial empire that should replace the Spanish power, which at that very time was falling under his control."

Thomas Jefferson was then President of the United States and he became alarmed at the military activities of the French. The possession of New Orleans as we have seen was an issue of paramount importance. It was, indeed, "the key to the Continental interior." The old and much-mooted question of the free navigation of the Mississippi was again agitating the people of the west and the statesmen who had their welfare at heart. In the spring of 1802 Jefferson wrote to Livingston, our minister at the French Court:

"The day that France takes possession of New Orleans fixes the sentence which is to restrain her forever within her low-water mark. It seals the union of two nations who in conjunction can maintain exclusive possession of the ocean. From that moment we must marry ourselves to the British fleet and nation."

Jefferson clearly saw the necessity of the American domination of New Orleans, or west Florida, at least, as the only permanent assurance of our right to the navigation of the Mississippi river. At that time we had but a secondary interest in the country beyond.

When the Spanish intendant closed the Mississippi, the whole west was in a state of agitation and there were threats of war against France and Spain. Jefferson was opposed to hostilities and his motto was "Peace is our Passion." The time had come for quick action. The west must be protected and if possible, war must be avoided. To accomplish these things Jefferson sent Monroe on a special mission to France. Under date of March 2, 1803, Monroe received instructions giving him three alternatives. First of all, he was to use his best efforts to purchase outright the city of New Orleans and the Floridas. If such action were necessary he was empowered to guarantee to France her holdings beyond the Mississippi. Should France decline the sale of New Orleans, Monroe was to try to obtain land sufficient for a town site on the Mississippi as near as possible to the mouth of the river, where the westerners might find an outlet for their products. It is fair to assume that Jefferson would have accepted simply the privilege of navigation if the purchase of Louisiana had been an imminent cause of war. He foresaw the rapid settlement of the Mississippi valley, and no doubt in time he hoped, by an alliance with England, to be formed when England and France were at outs, to press the claims of our country and found new colonies in and about the Gulf of Mexico. However, at this time Jefferson would have sought an alliance with England only on condition that France forced the issue by refusing our terms and closing the Mississippi.

While Monroe was on the sea en route to France, Napoleon had become absorbed in a new dream of conquest. He had decided to begin afresh hostilities against England, and launch out in new European conquests. Therefore, he confided to Talleyrand and Marbois, his ministers, that he would, for a sufficient consideration, cede Louisiana to the United States. He was moved to this sudden change of policy by a number of reasons. First of all, his plans for the occupation of New Orleans had miscarried, owing to battle and



disease, which had ravaged his army in Santo Domingo. It seemed that the French thus delayed and temporarily thwarted, would be opposed by the allied forces of the two English speaking nations,—England and her obstreperous offspring, the United States. If this were so, a large army would be required to defend New France and Napoleon needed all the men he could muster for the coming conflict with England. Moreover, he must have money to carry on his vast military operations. In selling Louisiana to the United States he would obviate the danger of losing this province to England and he would also win the friendship of the young but lusty nation who was already mistress of the New World.

The chief figure in the negotiations, on the part of France, always excepting the dominant personality of Napoleon,—was Barbe Marbois, the Minister of France. This was a fortunate circumstance for our representatives. Marbois, in sharp contrast to the tricky and unreliable First Consul, Tallyrand, was a fair and honorable gentleman. He was peculiarly fitted to treat with the Americans. He had at one time served in the French legation in this country; he was a close personal friend of Monroe and was married to a lady from Philadelphia. Although a loyal and patriotic Frenchman he was a friend of the United States and played an important part in bringing the Louisiana Purchase to a satisfactory termination.

So matters stood when Monroe arrived in Paris. The time was ripe for action. Livingston had long made overtures to the French government for the purchase of certain territory. "The total amount of land asked for was comparatively a mere speck on the map," we are told—"a bit of marsh and sand off the extreme end of West Florida, and the margin of delta land that lies east of the main channel of the Mississippi between Lake Pontchartrain and the river's mouth."

This, and only this, Robert R. Livingston had asked on the part of the United States. France had declined and a deadlock followed

in which it seemed impossible to come to any satisfactory arrangement, when suddenly, to the astonishment of Livingston and Monroe, on April 11th, Tallyrand asked what the United States would pay for the entire province of Louisiana. Monroe, who had just arrived, was authorized by Jefferson to pay \$2,000,000 for New Orleans and the Floridas. Such a contingency as the one which now confronted them had not been dreamed of. We must remember at that time there were no cables nor steamships, and therefore no means of rapid communication with the government at Washington. The First Consul urged haste. The French treasury needed funds; war with England was imminent and once it was declared that nation might sail into the Gulf of Mexico and become mistress of Louisiana. This danger the French wished to obviate at all hazards. A week elapsed in which Livingston and Monroe discussed the price demanded by France. Also during that week, the brothers of Napoleon, Lucien and Joseph, used every argument to dissuade him from his rash move. He was violating the French constitution. His arbitrary cession of the great, but little known province, was against the interests of France. The imperious Napoleon, tyrant and dictator that he was, could not be swerved in his determination. He was now as intensely in favor of as formerly he had been against the cession of Louisiana. He offered the whole vast domain to Livingston and Monroe for \$15,000,000.

The envoys of the United States were men of ability and decision. A great issue was at stake. Delay would unquestionably mean defeat. They had no desire for that nebulous and unknown quantity of Louisiana beyond the Mississippi but they accepted it as an evil more than offset by the gain of the great river and its tributary country. Napoleon ordered his finance minister, Marbois, to sign a treaty with the American representatives wherein Louisiana "with its ill-defined boundaries," passed into the possession of the United States of America. The treaty reads as follows:

TREATY BETWEEN THE UNITED STATES OF  
AMERICA AND THE FRENCH REPUBLIC.

The President of the United States of America, and the First Consul of the French Republic, in the name of the French people, desiring to remove all source of misunderstanding, relative to objects of discussion mentioned in the second and fifth articles of the Convention of (the 8th Vendemiaire, an 9,) September 30, 1800, relative to the rights claimed by the United States, in virtue of the Treaty concluded at Madrid, the 27th of October, 1795, between His Catholic Majesty and the said United States, and willing to strengthen the union and friendship, which at the time of the said Convention was happily reestablished between the two nations, have respectively named their plenipotentiaries, to-wit: The President of the United States of America, by and with the advice and consent of the Senate of the said States, Robert R. Livingston, Minister Plenipotentiary of the United States, and James Monroe, Minister Plenipotentiary and Envoy Extraordinary of the said States, near the Government of the French Republic; and the First Consul, in the name of the French people, the French citizen Barbe Marbois, Minister of the Public Treasury, who after having respectively exchanged their full powers, have agreed to the following articles:

Art. 1. Whereas, by the article the third of the Treaty concluded at St. Ildefonso, (the 9th Vendemiaire, an 9,) October, 1800, between the First Consul of the French Republic and His Catholic Majesty, it was agreed as follows: His Catholic Majesty promises and engages on his part to cede to the French Republic, six months after the full and entire execution of the conditions and stipulations herein, relative to his Royal Highness, the Duke of Parma, the Colony or Province of Louisiana, with the same extent that it now has in the hands of Spain, and that it had when France possessed it; and such as it should be after the treaties subsequently entered into between Spain and other States:

And whereas, in pursuance of the Treaty, particularly of the third article, the French Republic has an incontestable title to the domain and to the possession of the said territory, the First Consul of the French Republic desiring to give to the United States a strong proof of friendship, doth hereby cede to the United States, in the name of the French Republic, forever and in full sovereignty, the said Territory, with all its rights and appurtenances, as fully and in the same manner as they might have been acquired by the French Republic, in value of the above-mentioned treaty, concluded with His Catholic Majesty.

Art. 2. In the cession made by the preceding article, are included the adjacent islands belonging to Louisiana, all public lots and squares, vacant lands, and all public buildings, fortifications, barracks, and other edifices, which are not private property. The archives, papers, and documents, relative to the domain and sovereignty of Louisiana and its dependencies, will be left in the possession of the Commissaries of the United States, and copies will be afterwards given in due form to the magistrates and municipal officers, of such of the said papers and documents as may be necessary to them.

Art. 3. The inhabitants of the ceded territory shall be incorporated in the Union of the United States, and be admitted as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all the rights, advantages, and immunities, of citizens of the United States; and, in the meantime, they shall be maintained and protected in the free enjoyment of their liberty, property, and the religion which they profess.

Art. 4. There shall be sent by the Government of France a Commissary to Louisiana, to the end that he do every act necessary, as well to receive from the officers of His Catholic Majesty the said country and its dependencies in the name of the French Republic, if it has not been already done, as to transmit it, in the name of the French Republic, to the Commissary or agent of the United States.

Art. 5. Immediately after the ratification

of the present treaty by the President of the United States, and in case that of the First Consul shall have previously been obtained, the Commissary of the French Republic shall remit all the military posts of New Orleans, and other parts of the ceded territory, to the Commissary or Commissaries named by the President to take possession; the troops, whether of France or Spain, who may be there, shall cease to occupy any military post from the time of taking possession, and shall be embarked as soon as possible in the course of three months after the ratification of this treaty.

Art. 6. The United States promises to execute such treaties and articles as may have been agreed between Spain and the tribes and nations of Indians, until by mutual consent of the United States and the said tribes or nations, other suitable articles shall have been agreed upon.

Art. 7. As it is reciprocally advantageous to the commerce of France and the United States, to encourage the communication of both nations, for a limited time, in the country ceded by the present treaty, until general arrangements relative to the commerce of both nations may be agreed on, it has been agreed between the contracting parties, that the French ships coming directly from France or any of her Colonies, loaded only with the produce or manufactures of France or her said Colonies, loaded only with the produce or manufactures of Spain or her Colonies, shall be admitted during the space of twelve years in the port of New Orleans, and in all other legal ports of entry within the ceded territory, in the same manner as the ships of the United States coming directly from France or Spain or any of their Colonies, without being subject to any other or greater duty on the merchandise, or other or greater tonnage than those paid by the citizens of the United States.

During the space of time above mentioned, no other nation shall have a right to the same privileges in the ports of the ceded territory. The twelve years shall commence three months

after the exchange of ratification, if it shall take place in France, or three months after it shall have been notified at Paris to the French Government, if it shall take place in the United States; it is, however, well understood, that the object of the above article is to favor the manufactures, commerce, freight, and navigation of France and Spain, so far as relates to the importations that the French and Spanish shall make into the said ports of the United States, without in any sort affecting the regulations that the United States may make concerning the exportation of the produce and merchandise of the United States, or any right they may have to make such regulations.

Art. 8. In future and forever, after the expiration of the twelve years, the ships of France shall be treated upon the footing of the most favored nations in the ports above mentioned.

Art. 9. The particular convention signed this day by the respective Ministers, having for its object to provide the payment of debts due the citizens of the United States, by the French Republic, prior to the 30th of September, 1800, (8th Vendemiaire, an 9,) is approved, and to have its execution in the same manner as if it had been inserted in the present treaty; and it shall be ratified in the same form and in the same time, so that the one shall not be ratified distinct from the other. Another particular convention, signed at the same date as the present treaty, relative to a definite rule between the contracting parties, is, in the like manner, approved, and will be ratified in the same form and in the same time, and jointly.

Art. 10. The present treaty shall be ratified in good and due form, and the ratification shall be exchanged in the space of six months after the date of the signature by the Ministers Plenipotentiary, or sooner if possible.

In faith whereof, the respective Plenipotentiaries have signed these articles in the French and English languages, declaring nevertheless, that the present treaty was originally agreed to in the French language, and have thereunto put their seals.



Done at Paris, the 10th day of Floreal, in the eleventh year of the French Republic, and the 30th of April, 1803.

R. R. LIVINGSTON,  
JAMES MONROE,  
BARBE MARBOIS.

After the signing of the treaty Livingston exclaimed:

"We have lived long, but this is the noblest work of our lives." Statesman that he was, he could not conceive of the immensity of the transaction and its influence on the future of the United States. He had "buildded better than he knew."

When news of the stupendous transaction reached Washington in June, there was a storm of dissenting opinions. The Republicans applauded the daring act of Livingston and Monroe; it was denounced and deplored by the Federalists. Through the perspective of years it is amusing to look back and consider some of the objections put forth by intellectual men. It was asserted that the acquisition of Louisiana would be "the greatest curse that could befall us;" again, "even supposing that this extent of territory was a desirable acquisition, fifteen million was a most enormous sum to give." Josiah Quincy stated: "To me it appears that this measure would justify a revolution—if this bill passes, the bonds of this Union are virtually dissolved." The "enormous sum" of \$15,000,000 deplored in such unequivocal terms, by Mr. Quincy, which we paid for the 1,037,735 miles or 664,150,000 acres embraced in the Louisiana territory, when mathematically divided, made that great empire cost two and one quarter cents per acre. Ridiculous as such pessimistic forebodings as these just cited seem to us today, we must recall that each epoch of our expansion has been marked with equally bitter opposition. The acquisition of Oregon was violently opposed and no less a statesman than Daniel Webster said:

"What do we want with this vast worthless area, this region of savages and wild beasts, of deserts of shifting sands and whirlwinds of dust, of cactus and prairie dogs? To what

use could we ever put these great deserts or endless mountain ranges impenetrable and covered to their base with eternal snow? What can we ever hope to do with the western coast, uninviting and not a harbor on it; what use have we for such a country? Mr. President, I will never vote one cent from the public treasury to place the Pacific Coast one inch nearer to Boston than it is now."

The combined districts of Louisiana and Oregon "that vast, worthless area" of Daniel Webster, according to the census of 1900 supported about 1,600,000 farms, the valuation of which was \$7,200,000,000. C. D. Wheeler writes:

"If, at the time that Livingston signed the treaty of 1803, he could have known that in 1900 there would be, in the region for which he bargained, 1,300,000 farms upon which there were 29,400,000 cattle valued at \$709,000,000; that 26,000,000 sheep, worth \$75,000,000, would be grazing there; that there would be raised among other products, 375,000,000 bushels of wheat, 1,250,000,000 bushels of corn, 1,670,000 bales of cotton, 78,000,000 bushels of potatoes, and 1,200,000 pounds of tobacco, he would have felt truly enough that he had just finished 'the noblest work' of his life."

History repeats itself and in our own day the annexation of Cuba and the Philippines was equally distasteful to conservatives.

But, however the purchase of Louisiana was deplored by the Federalists, it was a fact which had to be accepted and acted upon. The United States was facing a new era, both in her territorial and political existence. On the fourteenth day of July the treaty was received in Washington. It was ratified by Congress on the nineteenth of October, 1803.

Spain had ceded Louisiana to France in October, 1800, by the treaty of St. Ildefonso as we have seen,—but in the interim the latter country had not taken formal possession. Both in St. Louis and New Orleans, Spanish officials were actually governing the mixed population which numbered not to exceed 50,000 whites. Among these were French

Creoles, and some Americans, who had become Spanish subjects in order to obtain lands on the west bank of the Mississippi. This latter class included Daniel Boone and some of his sons and neighbors from Kentucky and West Virginia. Because Spain had never formally surrendered Louisiana to France, the Spanish government now raised the point as an obstacle to the consummation of our purchase of that territory. The Spanish court declared that France had never properly observed the treaty and that the sequestration was void because in the treaty France had pledged herself "not to retrocede Louisiana to any other power." The American government was advised of this by the Spanish minister. Napoleon was undisturbed. Instead of checking, it precipitated matters. The French *Charge d'affaires* at Washington immediately sent instructions to his fellow officer, in New Orleans which reached him on November 23d. In spite of Spain's attitude both the Spanish and French commissioners consented to carry out at once the essential forms of transfer. In order to make valid our claim to Louisiana a somewhat spectacular ceremonial had to be observed. First, Spain was compelled to formally cede the province to France, and, in turn, France after the *form* of possession transferred it to the United States. On the thirtieth day of November the Spanish commissioners with all due ceremony and pomp, surrendered Louisiana to Pierre Clement Laussat, the authorized representative of France. The tri-color was unfurled to the southern breeze and nominally, at least, France was ruler of the land. After seventeen days, the American commissioners, William C. C. Claiborne, who had been appointed governor of the new province, and Gen. James Wilkinson, together with an escort of troops, landed at New Orleans and camped nearby. On the twentieth day of December the French representative, Pierre Clement Laussat, handed to the representatives of the United States the keys of the capital, released the French subjects from their oath of allegiance and hauled down the French flag. The

stars and stripes rose triumphant; a salute was fired by the artillery, a regimental band struck up the national anthem and Louisiana was a part of the United States of America.

A similar ceremony took place in St. Louis in the early part of January. Laussat issued an order to Charles Dehault de Lassus, lieutenant-governor of Upper Louisiana with headquarters at St. Louis, from the Spanish commissioners, to surrender the country over which his authority extended, to one whom Laussat might name. The individual designated to act as American transfer commissioner was Capt. Amos Stoddard, an officer of the United States army.

Stoddard had passed the greater part of the winter at St. Louis where he was the companion of Capt. Meriwether Lewis.

On March ninth the American troops under command of Captain Stoddard's adjutant, Lieut. Stephen Worrell, crossed the river, and escorted Captains Stoddard and Lewis and other prominent Americans to the government house. From that mansion De Lassus read a proclamation. We can picture the quaint and picturesque *habitants* assembled *en masse* in the square listening in awe and perplexity to their formal release from their oath of allegiance to France. After this, a document was duly signed by Lassus for France and Stoddard for the United States, and among other witnesses who fixed their signatures thereto, was Capt. Meriwether Lewis.

As had been done in New Orleans, the tri-color of France was lowered; the Stars and Stripes were raised and artillery salutes and martial music proclaimed the domination of the United States.

Thus closed that long and complicated struggle for supremacy on the Mississippi and in the interior of the continent.

The territory thus acquired included 875,025 square miles, or 560,016,000 acres.

An able historian has written truly that only two events in our history rival in importance the Louisiana Purchase and those are the Declaration of Independence and the final

consolidation of our government through the Civil war. It opened the gateway to the west,—that west of which the *Sieur de la Vérendrye* and those who followed him had dreamed. In summing up the results of this great epoch of our national growth we shall quote the masterly statement of Prof. Frederick J. Turner:

"The international effects of the Louisiana Purchase were even more significant than its political effect. From it dates the end of the struggle for the possession of the Mississippi valley and the beginning of the transfer of the ascendancy in both Americas to the United States. Even the English veterans of the Napoleonic battles were unable to wrest New Orleans from Andrew Jackson in the War of 1812. The acquisition of Florida, Texas, California, and the possessions won by the United States in the recent Spanish-American war are in a sense the corollaries of this great event. France, England, and Spain, removed from the strategic points on our border, were prevented from occupying the controlling position in determining the destiny of the American provinces which so soon revolted from the empire of Spain. The Monroe Doctrine would not have been possible except for the Louisiana Purchase. It was the logical outcome of that acquisition. Having taken her

decisive stride across the Mississippi, the United States enlarged the horizon of her views and marched steadily forward to the possession of the Pacific ocean. From this event dates the rise of the United States into the position of a world power.

The Louisiana Purchase nearly doubled the area of the United States. It added territory equal to the combined area of Great Britain, Germany, France, Spain, Portugal, and Italy. Into this region have poured the descendants of the Americans of that day and a great tide of immigrants, until its population now numbers fifteen million souls. The wheat and corn and oats alone of this region have a value of over three hundred and forty-five million dollars annually. The land which Napoleon wished to be the granary of San Domingo is the granary of Europe. Perhaps most fundamental of all in its effects is the emphasis which the Louisiana Purchase gave to the conception of space in American ideals. The immensity of the area thus opened to exploitation had continually stirred the Americans' imagination, fired their energy and determination, strengthened their ability to handle vast designs, and made them measure their achievements by the scale of the prairies and the Rocky Mountains."



## CHAPTER VI

### LEWIS AND CLARK

Three months before the signing of the treaty which made Louisiana a part of the United States, Jefferson, who still cherished the unrealized dreams of western exploration which he had conceived a decade before, set about for the fourth time to father and equip an expedition which might make that dream a reality. The earliest years of his presidency were crowded with pressing events but never did he forget for one moment the ardent ambition which he, as Thomas Jefferson of private life, later as minister to France, and later still, as secretary of state in George Washington's cabinet, had cherished for his country,—the exploration of the sources of the Missouri and the blazing of an overland trail to the Western sea.

By virtue of the discovery of the mouth of the Columbia by Captain Robert Grey, the United States claimed title to the vast and vaguely defined "Oregon Territory." This possession was in itself sufficient motive for the proposed expedition, even though at that time the equally vast and nebulous region east of the Rockies and west of our boundaries was still the property of France.

Preferment in if not actual monopoly of the fur-trade with native tribes was actually the object which led to the great international movement westward. Here and there an out-runner of civilization more daring than his competitors thrust himself farther into the unknown wilderness, established relations with the Indians, who were generally more than willing to be friendly, and gained the coveted prize,—the right to barter and trade. Sometimes it was the French of Canada, again the jealous English who sporadically thrust these feelers out into the wild, and, of course, after

the solitary trapper found the way he was followed closely by the trading company.

These conditions, long apparent, gave Thomas Jefferson the excuse needed to foster his scheme, although his purpose was bigger and broader than the traffic in pelts and the diversion of Indian trade from the English and French to the citizens of the United States. Therefore, on January 18, 1803, he sent a confidential communication to Congress asking that \$2,500 be appropriated for an exploring party, the object of which should be the encouragement of friendly relations with the aboriginal tribes through which the United States rather than English companies might secure the rich and lucrative fur-trade. In pursuance with this policy he advocated the establishment of government trading posts, in a sense following the expensive and ruinous plan of the *Sieur de la Vérendrye*. By these posts he hoped to "place within their (the Indians') reach those things which will contribute more to their domestic comfort than the possession of extensive but uncultivated wilds," and to lay the foundation for the purchase of some of the regions which they controlled.

The message reads in part:

"An intelligent officer, with ten or twelve chosen men, fit for the enterprise and willing to undertake it, taken from our posts where they may be spared without inconvenience, might explore the whole line even to the Western ocean, have conference with the natives on the subject of commercial intercourse, get admission among them for our traders as others are admitted, agree on convenient deposits for an interchange of articles, and return with the information acquired in the

course of two summers. Their arms and accoutrements, some instruments of observation and light and cheap presents for the Indians would be all the apparatus they could carry, and with an expectation of a soldier's portion of land on their return would constitute the whole expense. Their pay would be going on whether here or there. While other civilized nations have encountered great expense to enlarge the boundaries of knowledge by undertaking voyages of discovery, and for other literary purposes, in various parts and directions, our nation seems to owe to the same object, as well as to its own interests, to explore this the only line of easy communication across the continent, and so directly traversing our own part of it. The interests of commerce place the principal object within the constitutional powers and care of Congress, and that it should incidentally advance the geographical knowledge of our own continent, cannot but be an additional gratification."

When Jefferson penned this message, the country therein designated was technically a possession of France, but still occupied and governed by Spain. He did not fear that the Americans would meet with any opposition from the latter nation, feeling that the Spaniards would look upon the purpose of the expedition "as a literary pursuit," and "not be disposed to view it with jealousy, even if the expiring state of its interests there did not render it a matter of indifference."

Jefferson had learned through bitter experience that upon the men chosen for this great service, rather than outward circumstances, the failure or success of the enterprise depended. George Rogers Clark, the first one whom he approached, although never actually entrusted with the leadership of a party of western exploration, sank into utter discredit and disgrace. John Ledyard, unstable, enthusiastic and spectacular, had failed in the merest abortive attempt and died.

André Michaux, weak and swerving of purpose, deluded by visions of political prestige and essentially a man of narrow mental

horizon, had yielded to temptation, wandered from the path of duty, and sank into oblivion and dishonor. All these successive disappointments had been of value, for Jefferson was one of those rare characters who profit by mistakes and succeed through failures.

When the last of these ill-starred expeditions under Michaux was formed, Jefferson's young neighbor, Meriwether Lewis, then a mere boy, volunteered to go. The privilege was denied him on account of his youth. He had been from early childhood a hunter and a woodsman, possessed of a nature attuned to the wild. At the age of eight he went off, entirely alone at night with his dogs, to hunt opossums and raccoons.

Jefferson seems to have always regarded him with affection and admiration. He came of noble stock. The Lewises of Virginia, of Scotch antecedents, were a famous family. The Meriwethers, of whom his mother was one, were no less blue-blooded. One of Meriwether Lewis's uncles married a sister of George Washington. Members of that family fought in the Revolution and the early Indian wars. Captain Lewis was born near Charlottesville, Virginia, on August 18, 1774. At the age of thirteen he went to a Latin school where he remained until he was eighteen. Two years later he joined the militia, and, having a liking for military life, he soon entered the regular army and at twenty-three years of age was promoted to the rank of captain. He became President Jefferson's private secretary when he was but twenty-seven.

While serving in that capacity this fourth venture of Jefferson's in western exploration matured. To young Lewis the President entrusted the task of estimating the necessary cost of the expedition. The document, in his own handwriting, reads:

Mathematical instruments.....	\$217
Arms and accoutrements extraordinary	81
Camp equipage .....	255
Medicine and packing.....	55
Means of transportation.....	430
Indian presents.....	696

Provisions extraordinary.....	\$ 224
Materials for making up the various articles into portable packs.....	55
For the pay of hunters, guides and interpreters .....	300
In silver coin, to defray the expenses of the party from Nashville to the last white settlement on the Missouri.	100
Contingencies .....	87
<hr/>	
Total.....	\$2,500

The old fire of adventure blazed once more in the bosom of the young captain. He asked to go. Jefferson had tested him long and well and he had borne the test. Therefore, the President bestowed upon him the coveted honor of leader of the expedition. In Jefferson's *Memoirs* the following tribute to Captain Lewis is found:

"I had now had opportunities of knowing him intimately. Of courage undaunted; possessing a firmness and perseverance of purpose which nothing but impossibilities could divert from its direction; careful as a father of those committed to his charge, yet steady in the maintenance of order and discipline; intimate with the Indian character, customs, and principles; habituated to the hunting life; guarded, by exact observation of the vegetables and animals of his own country against losing time in the description of objects already possessed; honest, disinterested, liberal, of sound understanding, and a fidelity to truth so scrupulous that whatever he should report would be as certain as if seen by ourselves,—with all these qualifications, as if selected and implanted by nature in one body for this express purpose, I could have no hesitation in confiding the enterprise to him. To fill up the measure desired, he wanted nothing but a greater familiarity with the technical language of the natural sciences and readiness in the astronomical observations necessary for the geography of his route. To acquire these he repaired immediately to Philadelphia, and placed himself under the tutorage of the distinguished professors of that place, who, with a zeal and emulation enkindled by an ardent devotion to science,

communicated to him freely the information requisite for the purposes of the journey. While attending, too, at Lancaster, the fabrication of the arms with which he chose that his men should be provided, he had the benefit of daily communication with Mr. Andrew Elliott, whose experience in astronomical observation and practice of it in the woods enabled him to apprise Captain Lewis of the wants and difficulties he would encounter, and of the substitutes and resources offered by a woodland and uninhabited country."

The above shows how carefully Captain Lewis prepared himself for the multifarious duties incumbent upon the head of such an epoch-making expedition.

With wise forethought Jefferson determined that a substitute leader, or, in other words, a man fully equipped and capable of commanding the party, should be chosen. William Clark, an intimate friend of Capt. Lewis, was accordingly made equal in command. "Captain" Clark was born in Virginia in 1770, and was four years the senior of Lewis. He was the ninth child of a family of ten,—a family no less distinguished than the Lewises and the Meriwethers. During his boyhood Clark's people changed their place of residence to Louisville, Kentucky. In 1788 he became an ensign in the United States army; in 1791 he was promoted to the rank of lieutenant of infantry. Suffering from ill health, he resigned his commissions in 1796. After this he spent several years on a farm hoping to regain his strength. It is interesting to note that during Clark's military career Meriwether Lewis served under him. Although the title of "captain" is generally applied to Clark, and the belief exists that he held that rank, that belief is not borne out by evidence. Probably this preferment was intended for him, but when he received his commission on March 26, 1804, it was for second lieutenant of artillery and not captain of engineers, as the young man had hoped. Lewis and Clark both proved their nobility and breadth of character in that which might have been a most embarrassing crisis. Officially, Clark was the subor-



dinate of Lewis. A young man is generally jealous of his laurels. However, Lewis voluntarily made his friend equal in command with himself. On the other hand, Clark, who had every reason to be disappointed in his military rank, uttered no word of protest or complaint, never for one instant encroached upon the privileges bestowed upon him, and when his duty was done and his ambition accomplished, resigned and forthwith returned the petty commission. Men who can accept such situations who can concede, who can forbear, who can under all circumstances sacrifice the personal to the general, selfish ambition to patriotic devotion, are world's heroes in the most honored sense. Such were both Meriwether Lewis and William Clark.

The selection of the men for the expedition was a matter of importance secondary only to the choice of the chiefs themselves. There were in all—that is, including Lewis and Clark—forty-five souls. Among them were frontier soldiers of the regular army, who volunteered to go. They had seen service at the posts of the West. There were, besides, nine young Kentuckians, two French watermen, a hunter who also served as interpreter, and York, the negro valet of Captain Lewis. Of these men all but the last named were enlisted as privates, their services to endure through the active life of the expedition. Three of them, namely, Floyd, Pryor and Ordway, were promoted by the leaders to the rank of sergeant. Besides the party designed for the complete journey of exploration a corporal, six soldiers and nine watermen were taken as an escort as far as the Mandan villages on the Missouri, to aid in transporting stores and also to give their military aid in case of attack by hostile savages, those being most feared dwelling between Wood river and the Missouri.

Not one of the party was a surgeon, physician or scientist. To overcome this difficulty, in a measure at least, Captain Lewis, as we have seen, spent some time in Philadelphia studying. Nevertheless, any such special knowledge obtained without years of previous training must have been, of necessity, super-

ficial. To these men of natural genius rather than technical education even greater credit is due than if they had been scientists, and in justice to them it must be acknowledged that they were natural geographers of uncommon insight and ability. There is, indeed, much intuition in original geography,—a scent for locations, as it were,—which seems to be a gift rather than an acquirement. They also showed remarkable discrimination in their ethnological and linguistic conclusions.

Notwithstanding that both captains were practical rather than scientific men, in the minute and rather painfully detailed instructions prepared for them by the President, he assumed that they possessed a variety and scope of knowledge seldom found in one intellect. To quote Mr. O. D. Wheeler:

“Not only were they to be the executive officers, the leaders, in an expedition that would thus alone tax their time and abilities, but they must needs be, also, astronomers, ethnologists, geologists, engineers, physicians and surgeons, mineralogists, diplomatists and statesmen, naturalists, botanists, geographers, topographers, and meteorologists. In a word, all that was to be done that would have a lasting value was, virtually, laid upon the backs of two men.”

Although it is true that the weight of responsibility and authority centered in Lewis and Clark, the other members of the party were encouraged to observe and set down the events and details of the journey so every possible item of interest or importance might be preserved. Besides the narrative of Lewis and Clark, Sergeants Patrick Gass and Floyd kept records. The untimely death of Floyd abruptly ended his diary. Sergeant Gass's account is a valuable addition to the original journals.

Before proceeding to consider this memorable expedition, it will be fitting to glance briefly at the more important members composing it. They were joined at the Mandan settlements by a Frenchman, Charbonneau, and his wife, Sacajawea,—the Bird Woman, who was destined to occupy a unique place in his-

tory. Without the wise council and faithfulness of the patient little pilot who guided them safely over mountain passes, along dangerous torrents and treacherous wastes, the results of the Lewis and Clark expedition might have been different.

Next to Lewis and Clark and Sacajawea, to whom they owed an incalculable debt, John Colter stands out as the most spectacular figure. His fame rests not upon any preeminently valuable service performed during his connection with Lewis and Clark, though they, in a tribute to him, wrote: "He always performed his duty," but because of his thrilling adventures after his discharge, upon the return of the party to the Mandan villages. His almost miraculous escape from Indians, his wanderings, during which he discovered the terrifying phenomena of the Yellowstone, long known as "Colter's Hell," all form a story as brilliant-hued and conspicuously at variance with the commonplace life of the average man, as fiction of the unconservative kind of Monte Cristo.

Perhaps no person of the party is deserving of more favorable comment than Sergeant Patrick Gass. This man was born near Chambersburg, Pennsylvania, in June, 1771, of Irish parents. We are informed that the time devoted to his educational training at school covered a period of precisely nineteen days. He was by nature keen in woodcraft, was fired with the spirit of original adventure which makes explorers of men, and early in that game of the wild which he loved to play, he learned stern lessons in endurance, self-reliance and patience in the face of privation.

His first military service was in a campaign against hostile Indians in 1792. A year later he started on a trading trip down the Ohio and the Mississippi. Before returning he visited Cuba and Philadelphia. This apparently satisfied his *wanderlust* for a time; in any event, during the year 1794, he apprenticed himself to a carpenter to learn that trade.

When the country was plunged in excitement over the threatened war with France in 1799, Gass enlisted for the second time. He

had been ordered to Kaskaskia, Illinois, when Captain Lewis arrived, calling for volunteers for his trans-continental expedition. Gass was keen to go. His captain demurred; he was a good carpenter and he was needed in that capacity at the fort. However, Gass saw Lewis privately and the result was that he went.

After the return of Lewis and Clark his journal was published and he lived quietly at Kaskaskia, resting on his laurels until the War of 1812. He served during that campaign, fought and was wounded at the battle of Lundy's Lane, and left the army for the last time in 1815.

At the age of sixty Gass yielded to the gentler passion and married. He was the father of seven children. During his last years Gass's sole income was a miserable pension of \$96 per year bestowed upon him by the government for signal and unusual services! He died near Willsburg, West Virginia, on April 30, 1870, at the age of ninety-nine, being the last survivor of the Lewis and Clark expedition.

Sergeant Charles Floyd of Kentucky belonged to a pioneer family. His father came to Kentucky from Virginia with Daniel Boone and the Floyds were prominently identified with that restless body of westerners under the leadership of George Rogers Clark.

Floyd's adventures with Lewis and Clark were terminated by his death on August 20, 1804, on the banks of the Missouri river at the present site of Sioux City, Iowa. During his brief service he proved himself to be a man devoted to duty.

His journal was discovered in the Draper Collection by Dr. Reuben Gold Thwaites in February, 1893, read before the American Antiquarian Society and printed by them the following year.

Floyd was the only member of the Lewis and Clark party to die during the overland journey. He was probably the first soldier of our own country to be buried in the soil of the Louisiana Purchase territory west of

the Mississippi. Gass's journal speaks thus of Floyd's death:

"Monday, 20th. Sergeant Floyd continued very ill. We embarked early, and proceeded, having a fair wind and fine weather, until 2 o'clock, when we landed for dinner. Here Sergeant Floyd died, notwithstanding every possible effort was made by the commanding officers and other persons to save his life. We went on about a mile to high prairie hills on the north side of the river, and there interred his remains in the most decent manner our circumstances would admit; we then proceeded a mile further to a small river on the same side and encamped. Our commanding officers gave it the name of Floyd's river, to perpetuate the memory of the first man who had fallen on this important expedition."

This further account of the burial of Floyd is from the pen of Captain Clark.

"We buried him on the top of the bluff  $\frac{1}{2}$  mile below a small river to which we gave his name, he was buried with the Honors of War much lamented, a seeder post with the Name Sergt. C. Floyd died here 20th of August, 1804, was fixed at the head of his grave—This man at all times gave us proofs of his firmness and Determined resolution to doe Service to his countrey and honor to himself after paying all the honor to our Deceased brother we camped in the mouth of Floyds river about 30 yards wide, a butiful evening."

The Floyd Memorial Association was formed on June 6, 1895, for the purpose of erecting a permanent monument to perpetuate the memory of Sergeant Floyd. Through the efforts of this organization the monument, an obelisk, Egyptian in form, and one hundred feet above its base, was reared as near as possible to the place where Floyd's comrades had laid him, allowing for the encroachments of the river. Accordingly, on August 20, 1895, the ninety-first anniversary of his death, his remains were removed to their last resting place, amid impressive ceremonies and the tributes of those who, nearly a century later, recognized even more keenly than his contemporaries, the value of his services.

It is not within the scope of this narrative to give biographies of all the members of this memorable party, though their fame entitles them to separate and personal consideration.

We are told by O. D. Wheeler, an eminent authority, that "there was but one suggestion of mutiny and that on the part of one man only, who, besides being promptly punished, afterwards fully atoned for his fault. There were two attempts at desertion, one of which was successful; in the other case the man was promptly disciplined and discharged from service."

The roster of the expedition is not necessary here, but it is of the utmost importance to remember that, "of the three accounts of the expedition we have—those of Lewis and Clark, Gass and Floyd—no two agree, except after studied analysis, as to the number and occupation of the members of the expedition."

Bearing this fact in mind the following story may be of interest. It was told to me by Michel Rivais, interpreter for the government, at Jocko, who served in that capacity for nearly forty years, and whose veracity is vouched for by Major Fred C. Morgan, Indian agent of the Selish or Flatheads. To this I may add that in my dealings with the old man I found him always truthful and honorable.

Michel Rivais stated to me before his death that his grandfather, François Rivais, came west with Lewis and Clark. With them he returned to St. Louis, but having fallen under the spell of the wilderness and being fascinated by the gentle and friendly Selish of the Bitter Root valley, he came back. He married an Indian woman named Chen-nah. The name Rivais is not to be found in the rosters, but it may be that it was assumed (as often happened) by one of the Frenchmen.

This story may be taken for as much or as little as it is worth. We shall consider other of its details later and in the course of our narrative we shall refer again to old Michel.

As we have seen, Jefferson's message to Congress requesting the organization of a party for a voyage of discovery to the west,



was penned three months previous to the signing of the treaty which made Louisiana a possession of the United States.

Obviously this transfer, of international moment, changed the import of the expedition. Now it had to do with our own immediate and vital interests. Under date of January 22, 1804, Thomas Jefferson wrote the following communication to Captain Lewis:

"When your instructions were penned, this new position (the purchase of Louisiana and the occupation of the territory) was not so authentically known as to effect the completion of your instructions, being now become sovereigns of the country, without, however, any diminution of the Indian rights of occupancy we are authorized to propose to them in direct terms the institution of commerce with them. It will now be proper you should inform those through whose country you will pass, or whom you may meet, that their late fathers, the Spaniards, have agreed to withdraw all their troops from all the waters and country of the Mississippi and Missouri, that they have surrendered to us all their subjects, Spanish and French, settled there, and all their posts and lands; that henceforth we become their fathers and friends, and that we shall endeavor that they shall have no cause to lament the change; that we have sent you to enquire into the nature of the country and the nations inhabiting it, to know at what places and times we must establish stores of goods among them, to exchange for their peltries; that as soon as you return with the necessary information we shall prepare supplies of goods and persons to carry them and make the proper establishments; that in the meantime the same traders who reside among or visit them, and who are now a part of us, will continue to supply them as usual; that we shall endeavor to become acquainted with them as soon as possible and that they will find in us faithful friends and protectors. Although you will pass through no settlements of the Sioux (except seceders), yet you will probably meet with parties of them, on that nation we wish most particularly to make a friendly impres-

sion, because of their immense power, and because we learn they are very desirous of being on the most friendly terms with us."

The equipment of the expedition is a matter of perpetual interest. Lewis and Clark had three boats, a batteau or keel boat, fifty-five feet in length, and two "periogues" or open boats. The big batteau was somewhat pretentious; it drew three feet of water, had one square sail, no less than twenty-two oars, a forecastle and cabin, "the middle of which was covered by lockers, which might be raised so as to form a breastwork." It was carefully planned for defense, so, in case the white men were attacked by hostile tribes they might have the advantage of protection.

The daily speed of such craft averaged from twelve to fifteen miles. The "periogues" had six or seven oars respectively. They were from forty to fifty feet long, approximately twelve feet wide and drew about four feet of water. They had two horses which were to proceed along the river shores, "for the purpose of bringing home game, or hunting in case of scarcity."

Necessary stores, such as flour, salt pork, meal, whiskey, together with other supplies, were divided into seven bales, and one box containing a small portion of each article in case of accident. Besides the above mentioned foods the cargo was composed of clothing, working utensils, locks, flints, ball powder and commodities of the greatest usefulness. "To these were added fourteen bales and one box of Indian presents, distributed in the same manner, and composed of richly laced coats and other articles of dress, medals, flags, knives, and tomahawks for the chiefs, with ornaments of different kinds, particularly beads, looking-glasses, handkerchiefs, paints, and generally such articles as were deemed best calculated for the taste of the Indians."

At Harper's Ferry they supplemented their supplies with rifles, knives, tomahawks, etc., and the steel frame of a canoe. They had medals of three kinds, the first "with the likeness of the President of the United States," another "representing some domestic animals,"

and the last having "the impression of a farmer sowing grain." It must be remembered that the explorers depended largely upon barter with the Indians for meat and other foodstuffs, for it was, of course, impossible for them to transport sufficient to sustain the lives of the various members of the party during such a trip. Therefore, the gifts for the Indians were

draught of the instructions which, when finally completed and formally delivered, bore the date of June 20th. Jefferson also gave Lewis a letter of general credit.

Captain Lewis bade Jefferson good-bye at Washington on the 5th of July, shortly after the momentous news of the Louisiana Purchase was received. As Reuben Gold

Twelve months after the date of my return to  
 Dr. Fitzhugh, Guardian to Charles  
 and Anne Henderson. One hundred & Five Dollars  
 Value paid, in the hands of a negro had called  
 to me, for the term of one year  
 to commence with the date of their promise  
 which negro I am to return to said Fitzhugh  
 well clothed & had in Lawrence on the  
 1st day of January 1813, or to his apptd  
 meeting, my hand & seal this 1st day 1812  
 Lewis

LEWIS AND CLARK DOCUMENT.

second only in importance to the original commissary stores.

Captain Lewis spent the month of April at Lancaster, Harper's Ferry, and other places interviewing military men who had knowledge of the west. He also supervised the building of the boats and attended to the manufacture and purchase of various weapons and scientific instruments. He then went to Philadelphia. In May, Jefferson gave him the first

Thwaites aptly writes: "The two friends—Jefferson in his sixtieth year, and Lewis in his twenty-eighth—were the leading spirits in this daring enterprise." It had been the original plan of Captain Lewis to start from Pittsburgh and to begin the descent of the Ohio by the last of the month. The boat-builder who was engaged in the construction of the craft, however, proved to be an irresponsible person, whose love of spirituous conviviality



was not to be interfered with by mere humdrum work. The Lewis and Clark party could wait for his occasional sobriety, and wait they did. Captain Lewis wrote feelingly of having thus been "shamefully detained."

Meantime the waters of the Ohio were exceedingly low and the voyage was consequently attended with unusual dangers. Lewis was warned of this, and advised to abandon the start until next season. Already chafing under the delay, fired with enthusiasm and that overwhelming desire for the wilderness which only those who possess it can appreciate, he could brook no further restraint. In a letter to Jefferson he stated that he was "determined to get forward though I should not be able to make a greater distance than a mile per day."

At seven o'clock on the thirty-first of August all was in readiness. At 10 A. M. the expedition started.

The original plan of wintering at La Charette, a quaint French settlement which marked the last step in the advance of civilization up the Missouri, was abandoned. In the first place, delays in preparing for the journey and difficulties of navigation encountered on the Ohio river, made it impractical, if not impossible, to reach the village that year. What was of paramount importance, although knowledge of the Louisiana Purchase reached Washington the first of July, the Spanish authorities in St. Louis had not received official announcement of the transfer of sovereignty. Therefore, the commandant, still bound to respect and maintain the policy of his government, refused to permit the Americans to proceed through the territory over which he still exercised nominal control. Jefferson, in a letter dated November 16th, advised the captains to go into winter quarters on the American side in order that the enlisted men might take advantage of their right to draw rations from the War Department, thus conserving their supplies.

December was well along when they gained the River Dubois, a lesser stream, debouching into the Mississippi at a point about opposite

the mouth of the Missouri. There, on the western side of the Mississippi, they constructed a winter cantonment where they remained for five months.

The time was by no means idle for officers and men. The latter drilled and with arduous zeal prepared for the journey. Lewis and Clark visited different military posts,—Cahokia, Kaskaskia, and St. Louis. Most of the routine, such as drilling the men and supervising the construction of various articles needed for the trip, fell to Clark. Lewis gleaned every detail of knowledge from voyageurs who had been as far as the Mandan villages and returned to St. Louis to dispose of their peltries and live for the winter on the proceeds thereof. During this period,—that is, on the ninth of March,—Lewis witnessed the formal cession of Upper Louisiana.

At four o'clock in the afternoon, on Monday, May 14, 1804, the party left their encampment, boarded the boats and set out upon what was destined to be one of the greatest voyages of discovery the world has ever seen.

It is not the purpose of this work to discuss the details of this expedition except in as much as they deal with Montana. Therefore, it is sufficient to note that they traveled slowly up the Missouri, observing the country through which they passed, and the native inhabitants. In the official documents, they described the various landmarks, and named them according to some incident of the trip. Bear and Antelope creeks were so called because beasts of those species were first killed there. Independence creek commemorated the fourth of July, Floyd's Bluff perpetuated the memory of the man who died and was buried on the eminence, and Council Bluffs was so christened because of the first council with the Indians.

On June 12th an event of some importance occurred, namely, the engaging of a new interpreter. The journal speaks of the incident thus:

"In the morning we passed through difficult places in the river, and reached Plum creek on the south side. At one o'clock we met two



rafts loaded, the one with furs, the other with the tallow of buffalo; they were from the Sioux nation, and on their way to St. Louis; but we were fortunate enough to engage one of the men, a Mr. Durion, who had lived with that nation more than twenty years and was high in their confidence, to accompany us thither. We made nine miles."

One hundred and sixty-five days were consumed in the journey to the Mandans—a distance of sixteen hundred miles from the City of St. Louis. On the 2d day of November they arrived at the Mandan villages. These settlements, distant about five days' journey from the site of those that had sheltered the Vérendryes, had been from the remote days of that earliest expedition, the refuge of trail-blazers. Lewis and Clark wintered among those friendly people, close to the modern site of Bismarck, North Dakota, meeting many tribes of Indians and familiarizing themselves with their customs. There they secured the services of the French-Canadian trapper, Charbonneau, a former employee of the Hudson's Bay Company, and what was of far greater importance, the aid of his wife Sacajawea, the Bird Woman.

Soon after Charbonneau arrived at the fort, two other Indian wives from the Rocky mountains joined him. He, with these three women, was invited to witness the dancing and festivities within the whitemen's headquarters on Christmas.

The captains appear to have taken a liking to Sacajawea, and to have recognized in her one who might prove useful,—how useful they little dreamed.

Sacajawea was a member of the Shoshone, Snake or *Gens du Serpent* nation. She had been taken prisoner in 1800 while still very young by Minnitarees, by whom she was sold, a slave, to Charbonneau. He, being apparently an impartial person in his affections, of dissolute and libertine instincts like most of his mongrel kind, made her one of his three wives, but in such cases the terms "slave" and "wife" were practically synonymous. On February 11, 1804, she was delivered of a son.

Charbonneau was contentious and mercurial. He had engaged to accompany Lewis and Clark as Minnitaree interpreter. On March 7 a generous gift from the Northwest Company nearly changed his plans. He quarreled with the Mandan interpreter, Jessaume, and haggled with Lewis and Clark over the terms he had agreed to accept.

The expedition left Fort Mandan on April 7, 1805. The members had not gone far from the village, when Sacajawea performed her first signal service. She, with her husband and young baby, had been placed in a canoe with the scientific instruments, records and medicines. The frail craft caught in a rapid and filled with water almost instantaneously. The journals,—those priceless records of the trip,—floated away. Charbonneau thought only of his own safety and abandoned the little Bird Woman and her baby, but she, with forethought, appreciation of values and courage, recovered the papers before she sought to save herself.

On April 26th the party gained the mouth of the Yellowstone river. The journal, under this date reads:

"April 26th. We continued our voyage in the morning, and by twelve o'clock camped at eight miles' distance, at the junction of the Missouri and Yellowstone rivers, where we were soon joined by Captain Lewis. \* \* \*

"This river, which had been known to the French as the Roche Jaune, or as we have called it the Yellowstone, rises according to Indian information in the Rocky mountains (in the Yellowstone National Park); its sources are near those of the Missouri and (not so near those of) the Platte; it may be navigated in canoes almost to its head. It runs first through a mountainous country, in many parts fertile and well-timbered; it then waters a rich, delightful land, broken into valleys and meadows, and well supplied with wood and water, till it reaches near the Missouri open meadows and low grounds, sufficiently timbered on its borders. In the upper country its course is represented as very rapid; but during the two last and largest portions,

its current is much more gentle than that of the Missouri, which it resembles also in being turbid, though with less sediment."

This river was explored by Captain Clark on the return journey, while Captain Lewis was engaged in a similar expedition up the Marias.

The latter river was discovered by the party on June 2. The journal recounts this event as follows:

"June 2d \* \* \* at the distance of 18 miles from our camp we came to for the night in a handsome, low cottonwood plain on the south, where we remained for the purpose of making some celestial observations during the night, and of examining in the morning a large (Maria's) river which comes in opposite to us. Accordingly, at an early hour,

"Monday, June 3d, we crossed and fixed our camp at the point formed by the junction of this river with the Missouri.

"It now became an interesting question, which of these two streams is what the Minnitarées call Ahmateahza, or Missouri, which they describe as approaching very near to the Columbia. On our right decision much of the fate of the expedition depends; since if, after descending to the Rocky (p. 243) mountains or beyond them, we should find that the river we were following did not come near the Columbia, and be obliged to return, we should not only lose the traveling season, two months of which have already elapsed, but probably dishearten the men so much as to induce them either to abandon the enterprise or yield us a cold obedience, instead of the warm and zealous support which they have hitherto afforded us. We determined, therefore, to examine well before we decided on our future course. For this purpose we dispatched two canoes with three men up each of the streams, with orders to ascertain the width, depth and rapidity of the current, so as to judge of their comparative bodies of water. At the same time parties were sent out by land to penetrate the country, and discover from the rising grounds, if possible, the distant bearings of

the two rivers; and all were directed to return toward evening."

This was one of the gravest problems which the explorers had to solve. Not satisfied with the reports of the men, on June 4 the captains set out separately to examine minutely the two streams. The success of the journey was at stake. From the beginning Captain Lewis had maintained that the south branch was the Missouri, though the majority were of the other opinion. With keen observation and unerring judgment the leaders compared notes, chose the right course and decided correctly that the southernmost stream was the "Father of Waters," that had borne them so far on their way to the Pacific.

From this point they proceeded to Portage creek near the modern city of Great Falls, Montana, which they reached July 16. An impressive account of the falls is given in the journal:

"June 13th. \* \* \* In this direction Captain Lewis had gone about two miles, when his ears were saluted with the agreeable sound of a fall of water, and as he advanced a spray, which seemed driven by a high southwest wind, arose above the plain like a column of smoke, and vanished in an instant. Toward this point he directed his steps; the noise increased as he approached, and soon became too tremendous to be mistaken for anything but the Great Falls of the Missouri. Having traveled seven miles after first hearing the sound, he reached the falls about twelve o'clock. The hills as he approached were difficult of access and 200 feet high. Down these he hurried with impatience; and, seating himself on some rocks under the center of the falls, enjoyed the sublime spectacle of this stupendous object, which, since the creation, had been lavishing its magnificence upon the desert, unknown to civilization.

"June 14th. \* \* \* While viewing this place Captain Lewis heard a loud roar above him, and crossing the point of a hill for a few hundred yards, he saw one of the most beautiful objects in nature.

"The whole of the Missouri is suddenly

stopped by one shelving rock, which, without a single niche, and with an edge as straight and regular as if formed by art, stretches itself from one side of the river to the other for at least a quarter of a mile. Over this the water precipitates itself in an even, uninterrupted sheet, to the perpendicular depth of 50 feet, whence dashing against the rocky bottom it rushes rapidly down, leaving behind it a spray of the purest foam across the river. The scene which it presented was indeed singularly beautiful, since, without any of the wild, irregular sublimity of the lower falls, it combined all the regular elegances which the fancy of a painter would select to form a beautiful waterfall."

On Saturday, June 29, Captain Clark, with Sacajawea, her infant, Charbonneau and York started for Whitebear islands to recover some lost notes. A terrible storm or cloudburst came up. They took refuge in a deep ravine, a quarter of a mile above the falls. The shower became a deluge. The journal states "the rain seemed to fall in a solid mass, and instantly, collecting in the ravine, came rolling down in a dreadful current, carrying the mud, rocks and everything that opposed it."

Captain Clark observed the flood a moment before it reached them. He assisted Sacajawea and her infant up the hill and they barely escaped with their lives. Charbonneau was helpless with fear.

The next event of importance to chronicle is the discovery of the Three Forks of the Missouri by Captain Clark. This occurred on July 25, 1805. He had traveled far and long and returned to the main party very ill. His feet were blistered and torn with thorns, but he was well rewarded "in having discovered three great rivers at once to-day."

They named these streams, as we have seen in a previous chapter, Jefferson, Madison and Gallatin. With some difficulty they determined which was the parent stream,—the actual source of the Missouri. The journal continues:

"We are now very anxious to see the Snake Indians."

The matter of overland transportation had now become vital. From that nation they hoped to secure horses and thus greatly accelerate their speed. They feared a scarcity of game and timber as they penetrated deeper into the wild.

Under date of July 28, 1805, the captains write:

"Sacajawea, our Indian woman, informs us that we are camped on the precise spot where her countrymen, the Snake Indians, had their huts five years ago, when the Minnetarees of Knife river first came in sight of them, and from which they hastily retreated three miles up the Jefferson, and concealed themselves in the woods. The Minnetarees, however, pursued and attacked them, killed four men, as many women and a number of boys, and made prisoners of four other boys and all the females, of whom Sacajawea was one. She does not, however, show any distress at these recollections, or any joy at the prospect of being restored to her country; for she seems to possess the folly or the philosophy of not suffering her feelings to extend beyond the anxiety of having plenty to eat and a few trinkets to wear."

Indeed, Sacajawea was just coming into a country familiar to her youth, where she was to assume the tremendous responsibility of sole guide.

On July 30 she showed her white companions "the place where she had been made prisoner. The men being too few to contend with the Minnetarees, mounted their horses and fled as soon as the attack began. The women and children dispersed, and Sacajawea, as she was crossing at a shoal place, was overtaken in the middle of the river by her pursuers."

Sacajawea guided them unerringly up the Jefferson to that historical landmark, the Beaver Head Rock. The journal reads:

"This, (the Beaver's Head), she says, is not far from the summer retreat of her countrymen, which is on a river beyond the mountains, running to the west. She is therefore certain that we shall meet them either on this river



or on that immediately west of its sources which, judging from its present size, cannot be far distant."

Their one object now was to locate the Snakes as soon as possible. The following quotation is from the journal under date of Sunday, August 11, 1805:

"Captain Lewis again proceeded early, but had the mortification to find that the track which he followed yesterday soon disappeared. He determined therefore to go on (ten miles) to the narrow gate or pass of the river which he had seen from the camp (his on Prairie creek), in hopes of being able to recover the Indian path. For this purpose he waded across the river, which was now about twelve yards wide, barred in several places by the dams of the beaver, and then went straight forward to the pass, sending one man along the river to his left and another on the right, with orders to search for the road, and if they found it to let him know by raising a hat on the muzzle of their guns.

"In this order they went along for about five miles, when Captain Lewis perceived, with the greatest delight, a man on horseback, at the distance of two miles, coming down the plain toward them. On examining him with the glass Captain Lewis saw that he was of a different nation from any Indians we had hitherto met. He was armed with a bow and a quiver of arrows, and mounted on an elegant horse without a saddle; a small string attached to the under jaw answered as a bridle.

"Convinced that he was a Shoshonee, and knowing how much our success depended on the friendly offices of that nation, Captain Lewis was full of anxiety to approach without alarming him, and endeavor to convince him that he (Lewis) was a white man. He therefore proceeded toward the Indian at his usual pace. When they were within a mile of each other the Indian suddenly stopped. Captain Lewis immediately followed his example, took his blanket from his knapsack, and holding it with both hands at the two corners, threw it above his head and unfolded it as he brought

it to the ground, as if in the act of spreading it. This signal, which originates in the practice of spreading a robe of skin, as a seat for guests to whom they wish to show distinguished kindness, is the universal sign of friendship among the Indians on the Missouri river and the Rocky mountains. As usual, Captain Lewis repeated this signal three times; still the Indian kept his position, and looked with an air of suspicion on Drewyer and Shields, who were now advancing on each side. Captain Lewis was afraid to make any signal for them to halt, lest he should increase the suspicions of the Indian, who began to be uneasy, and they were too distant to hear his voice. He therefore took from his pack some beads, a looking-glass, and a few trinkets, which he had brought for the purpose, and leaving his gun, advanced, unarmed, toward the Indian. He remained in the same position till Captain Lewis came within 200 yards of him, when he turned his horse and began to move off slowly. Captain Lewis then called out to him in as loud a voice as he could, repeating the word 'tabba bone!' which in the Shoshonee language means white man; but looking over his shoulder the Indian kept his eyes on Drewyer and Shields, who were still advancing, without recollecting the impropriety of doing so at such a moment, till Captain Lewis made a signal to them to halt. This Drewyer obeyed; but Shields did not observe it, and still went forward. Seeing Drewyer halt, the Indian turned his horse about as if to wait for Captain Lewis, who now reached within 150 paces, repeating the words 'tabba bone,' holding up the trinkets in two hands, and at the same time, stripping up the sleeve of his shirt to show the color of his skin. The Indian suffered him to advance within 100 paces; then suddenly turning his horse, and giving him the whip, leaped across the creek and disappeared in an instant among the willow-bushes. With him vanished all hopes, which the sight of him had inspired, of a friendly introduction to his countrymen.

"Though sadly disappointed by the imprudence of his two men, Captain Lewis deter-

mined to make the incident of some use. Therefore, calling the men to him, they all set off after the track of the horse, which they hoped might lead them to the camp of the Indian who had fled; or, if he had given the alarm to any small party, their track might conduct them to the body of the nation. They now fixed a small flag of the United States on a pole, which was carried by one of the men as a signal of their friendly intentions, should the Indians observe them as they were advancing. The route lay across an island formed by a nearly equal division of the creek in the bottom. After reaching the open grounds on the right side of the creek, the track turned toward some high hills about three miles distant. Presuming that the Indian camp might be among these hills, and that by advancing hastily he might be seen and alarm them, Captain Lewis sought an elevated situation near the creek, had a fire made of willow-brush, and took breakfast. At the same time he prepared a small assortment of beads, trinkets, awls, some paint, and a looking-glass, and placed them on a pole near the fire, in order that if the Indians returned they might discover that the party were white men and friends. While making these preparations a very heavy shower of rain and hail came on, and wet them to the skin. In about 20 minutes it was over, and Captain Lewis then renewed his pursuit; but as the rain had made the grass which the horse had trodden down rise again, his track could with difficulty be distinguished. As they went along they passed several places where the Indians seemed to have been digging roots to-day, and saw the fresh track of eight or ten horses; but they had been wandering about in so confused a manner that he could not discern any particular path, and at last, after pursuing it about four miles along the valley, to the left (i. e., westward), under the foot of the hills, he lost the track of the fugitive Indian."

The following day, Monday, August 12, was destined to be the most memorable of the expedition. Captain Lewis, with Drewyer and Shields followed the trail of the lost Sho-

shonee. Four miles from camp they came upon a well traveled Indian road. Pursuing this, it led them towards the mountains, the stream (i. e., the sources of the Jefferson) diminishing rapidly. They soon discovered the headwaters of the Missouri. The Indian road led them onward, upward to the Continental Divide. Descending the western slope of the range for three-quarters of a mile they came upon "a handsome, bold creek of cold, clear water running to the westward. They stopped to taste for the first time of the waters of the Columbia."

Sacajawea's predictions had come true. In obedience to her wise counsel they had traced the chief source of the Missouri, stood upon the water-shed of the continent, then found the first stream that empties into the distant Pacific.

On Tuesday, August 13, Captain Lewis again set out over the Indian road, determined to find the Shoshones.

"Very early in the morning Captain Lewis resumed the Indian road, which led him in a western direction, through an open broken country. \* \* \* They proceeded along a waving plain parallel to this valley for about four miles, when they discovered two women, a man, and some dogs, on an eminence at the distance of a mile before them. The strangers first viewed them, apparently with much attention, for a few minutes, and then two of them sat down as if to await Captain Lewis' arrival. He went on till he reached within about half a mile, then ordered his party to stop, put down his knapsack and rifle, and unfurling the flag advanced alone toward the Indians. The females soon retreated behind the hill, but the man remained till Captain Lewis came within 100 yards from him, when he too went off, though Captain Lewis called out 'tabba bone!' loud enough to be heard distinctly. He hastened to the top of the hill, but they had all disappeared. The dogs, however, were less shy, and came close to him; he therefore thought of tying a handkerchief with some beads round their necks, and then let (-ting) them loose, to convince the fugitives

of his friendly disposition; but they would not suffer him to take hold of them, and soon left him. He now made a signal to the men, who joined him, and then all followed the track of the Indians, which led along a continuation of the same road they had been already traveling. It was dusty and seemed to have been much used lately both by foot-passengers and horsemen.

"They had not gone along it more than a mile, when on a sudden they saw three female Indians, from whom they had been concealed by the deep ravines which intersected the road, till they were now within 30 paces of each other. One of them, a young woman, immediately took to flight; the other two, an elderly woman and a little girl, seeing they were too near for them for escape, sat on the ground, and holding down their heads seemed as if reconciled to the death which they supposed awaited them. The same habit of holding down the head and inviting the enemy to strike, when all chance of escape is gone, is preserved in Egypt to this day.

"Captain Lewis instantly put down his rifle, and advancing toward them, took the woman by the hand, raised her up, and repeated the words 'tabba bone' at the same time stripping up his shirt-sleeve to prove that he was a white man—for his hands and face became by constant exposure quite as dark as their own. She appeared immediately relieved from her alarm; and Drewyer and Shields now coming up, Captain Lewis gave them some beads, a few awls, pewter mirrors, and a little paint, and told Drewyer to request the woman to recall her companion, who had escaped some distance and, by alarming the Indians, might cause them to attack him without any time for explanation. She did as she was desired, and the young woman returned almost out of breath. Captain Lewis gave her an equal portion of trinkets, and painted the tawny cheeks of all three of them with vermilion, a ceremony which among the Shoshonees is emblematic of peace.

"After they had become composed, he informed them by signs, of his wishes to go to their camp, in order to see their chiefs and

warriors; they readily obeyed, and conducted the party along the same road down the river. In this way they marched two miles, when they met a troop of nearly 60 warriors, mounted on excellent horses, riding at full speed toward them. As they advanced Captain Lewis put down his gun, and went with the flag about 50 paces in advance. The chief, who with two men was riding in front of the main body, spoke to the women, who now explained that the party was composed of white men, and showed exultingly the presents they had received. The three men immediately leaped from their horses, came up to Captain Lewis and embraced him with great cordiality, putting their left arm over his right shoulder and clasping his back, applying at the same time their left cheek to his, and frequently vociferating, 'ah hi e! ah hi e!—I am much pleased! I am much rejoiced!' The whole body of warriors now came forward, and our men received the caresses, with no small share of the grease and paint of their new friends. After this fraternal embrace, of which the motive was much more agreeable than the manner, Captain Lewis lighted a pipe and offered it to the Indians, who had now seated themselves in a circle around the party. But before they would receive this mark of friendship they pulled off their moccasins; a custom, as we afterward learned, which indicates the sacred sincerity of their professions when they smoke with a stranger, and which imprecates on themselves the misery of going barefoot forever if they are faithless to their words—a penalty by no means light to those who rove the thorny plains of their country.

"After smoking a few pipes, some trifling presents were distributed amongst the Indians, with which they seemed very much pleased, particularly with the blue beads and the vermilion. Captain Lewis then informed the chief that the object of his visit was friendly, and should be explained as soon as he reached their camp; but that in the meantime, as the sun was oppressive and no water near, he wished to go there as soon as possible. They now put on their moccasins, and their chief,



whose name was Cameahwait, made a short speech to the warriors. Captain Lewis then gave him the flag, which he informed him was among white men the emblem of peace, and now that he had received it was to be in future the bond of union between them. The chief then moved on, our party followed him, and the rest of the warriors in a squadron brought up the rear. After marching a mile they were halted by the chief, who made a second harangue; on which six or eight young men rode forward to their camp, and no further regularity was observed in the order of the march. At the distance of four miles from where they had first met, they reached the Indian camp, which was in a handsome level meadow on the bank of the river.

"Here they were introduced into an old leathern lodge, which the young men who had been sent from the party had fitted up for their reception. After being seated on green boughs and antelope-skins, one of the warriors pulled up the grass in the center of the lodge, so as to form a vacant circle of two feet in diameter, in which he kindled a fire. The chief then produced his pipe and tobacco, the warriors all pulled off their moccasins, and our party were requested to take off their own. This being done, the chief lighted his pipe at the fire within the magic circle, and then retreating from it began a speech several minutes long, at the end of which he pointed the stem toward the four cardinal points of the heavens, beginning with the east and concluding with the north. After this ceremony he presented the stem in the same way to Captain Lewis, who, supposing it an invitation to smoke, put out his hands to receive the pipe; but the chief drew it back, and continued to repeat the same offer three times, then to the center of the little circle, took three whiffs himself, and presented it again to Captain Lewis. Finding that this last offer was in good earnest, he smoked a little; the pipe was then held to each of the white men, and after they had taken a few whiffs was given to the warriors. \* \* \*

"The ceremony of smoking being concluded, Captain Lewis explained to the chief the pur-

poses of his visit, and as by this time all the women and children of the camp had gathered around the lodge to indulge in a view of the first white men they had ever seen, he distributed among them the remainder of the small articles he had brought with him.

"It was now late in the afternoon, and our party had tasted no food since the night before. On apprising the chief of this circumstance, he said that he had nothing but berries to eat, and presented some cakes made of service-berries and choke-cherries which had been dried in the sun. On these Captain Lewis made a hearty meal, and then walked down toward the (Lemhi) river. \* \* \*

"Captain Lewis returned from the river to his lodge; on his way an Indian invited him into his bower, and gave him a small morsel of boiled antelope and a piece of fresh salmon roasted. This was the first salmon he had seen, and perfectly satisfied him that he was now on the waters of the Pacific."

The party had separated several days before, Sacajawea accompanying Captain Clark and his force in canoes. On August 16th Captain Lewis with Cameahwait and twenty-five or thirty men, women and children of the Snake nation, went down towards the Jefferson to meet Captain Clark. The journal tells us that "the Indians were full of suspicion that they would be betrayed by the whites." Captain Lewis had considerable trouble in allaying their fears, and was forced to use much diplomacy. He promised liberal exchanges of goods for their horses but what was much more effective, he told them that one of their country women, Sacajewea, who had been taken prisoner by the Minnetarees, accompanied the party below; and one of the men had spread the report of their having with them a man, "perfectly black, whose hair was short and curled. This last account had excited a great degree of curiosity and they seemed more desirous of seeing this monster than of obtaining the most favorable barter for their horses."

Now comes a page from this remarkable history as thrilling as romance, in which the little

Bird Woman figures as the heroine. The story as told by the captains, reads:

"Saturday, August 17, 1805. Captain Lewis rose very early and dispatched Drewyer and the Indian down the river in quest of the boats. Shields was sent out at the same time to hunt, while M'Neal prepared a breakfast out of the remainder of the meat. Drewyer had been gone about two hours, and the Indians were all anxiously waiting for some news, when an Indian, who had straggled a short distance down the river, returned with a report that he had seen the white men, who were only a short distance below, and were coming on. The Indians were transported with joy, and the chief, in the warmth of his satisfaction, renewed his embrace to Captain Lewis, who was quite as much delighted as the Indians themselves. The report proved most agreeably true.

"On setting out at seven o'clock, Captain Clark, with Chaboneau and his wife, walked on shore; but they had not gone more than a mile before Captain Clark saw Sacajawea, who with her husband 100 yards ahead, began to dance and show every mark of the most extravagant joy, turning round to him and pointing to several Indians, whom he now saw advancing on horseback, sucking her fingers at the same time, to indicate that they were of her native tribe. As they advanced, Captain Clark discovered among them Drewyer dressed like an Indian, from whom he learned the situation of the party. While the boats were performing the circuit, he went toward the forks with the Indians, who as they went along, sang aloud with the greatest appearance of delight.

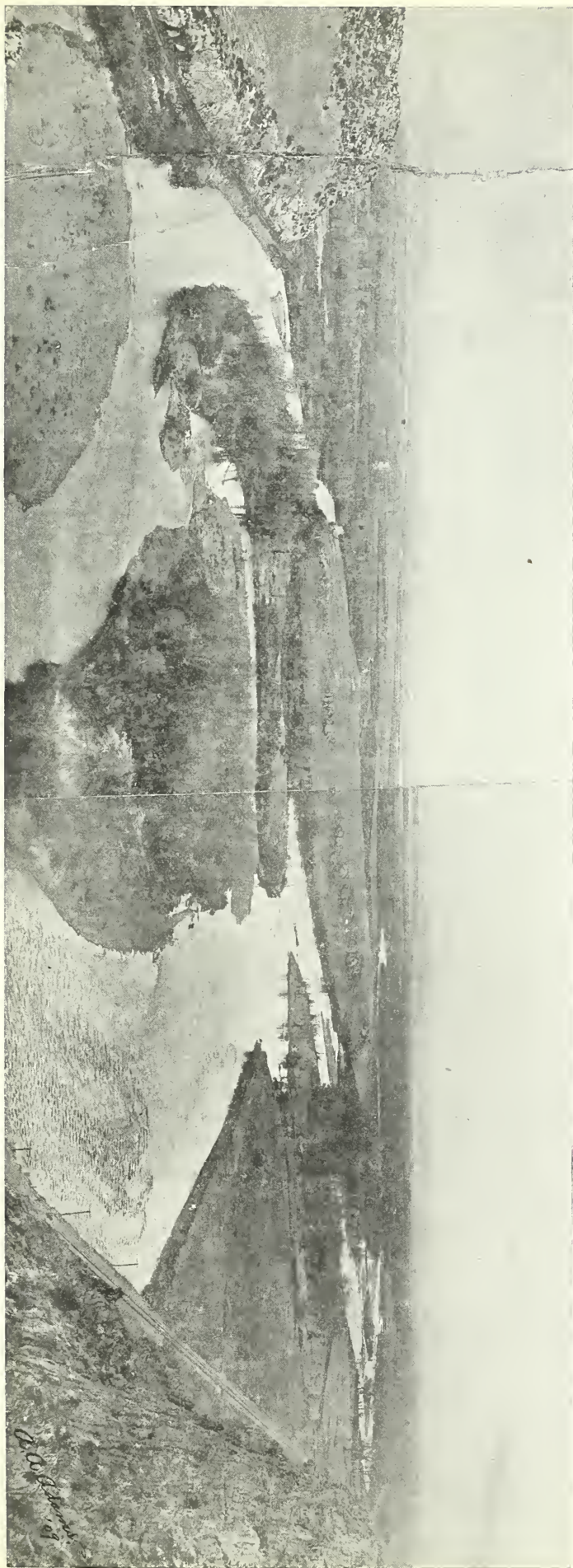
"We soon drew near the camp, and just as we approached it a woman made her way through the crowd toward Sacajawea; recognizing each other, they embraced with the most tender affection. The meeting of these two young women had in it something peculiarly touching, not only from the ardent manner in which their feelings were expressed, but also from the real interest of their situation. They had been companions in childhood; in the war with the Minnetarees they had both

been taken prisoners in the same battle; they had shared and softened the rigors of their captivity till one of them had escaped from the Minnetarees, with scarce a hope of ever seeing her friend relieved from the hands of her enemies. While Sacajawea was renewing among the women the friendships of former days, Captain Clark went on, and was received by Captain Lewis and the chief, who, after the first embraces and salutations were over, conducted him to a sort of circular tent or shade of willows. Here he was seated on a white robe, and the chief immediately tied in his hair six small shells resembling pearls, an ornament highly valued by these people, who procure them in the course of trade from the sea-coast. The moccasins of the whole party were then taken off, and after much ceremony the smoking began. After this the conference was to be opened. Glad of an opportunity of being able to converse more intelligibly, Sacajawea was sent for; she came into the tent, sat down, and was beginning to interpret, when, in the person of Cameahwait, she recognized her brother. She instantly jumped up, and ran and embraced him, throwing over him her blanket, and weeping profusely. The chief was himself moved, though not in the same degree. After some conversation between them she resumed her seat and attempted to interpret for us; but her new situation seemed to overpower her, and she was frequently interrupted by her tears. After the council was finished the unfortunate woman learned that all her family were dead except two brothers, one of whom was absent, and a son of her eldest sister, a small boy, who was immediately adopted by her.

The canoes arriving soon after, we formed a camp in a meadow on the left-hand side, a little below the forks, took out our baggage and by means of our sails and willow-poles formed a canopy for our Indian visitors. About four o'clock the chiefs and warriors were collected and, after the customary ceremony of taking off the moccasins and smoking a pipe, we explained to them in a long harangue the purposes of our visit, making themselves the one



THREE FORKS OF MISSOURI.



W. A. Brown  
1893



conspicuous object of the good wishes of our government, on whose strength as well as friendly disposition, we expatiated. We told them of their dependence on the will of our government for all their future supplies of whatever was necessary either for their comfort or defense; that, as we were sent to discover the best route by which merchandise could be conveyed to them, and no trade would be begun before our return, it was mutually advantageous that we should proceed with as little delay as possible; that we were under the necessity of requesting them to furnish us with horses to transport our baggage across the mountains, and a guide to show us the route; but that they should be amply remunerated for their horses, as well as for every other service they should render us. In the meantime our first wish was, that they should immediately collect as many horses as were necessary to transport our baggage to their village, where at our leisure we would trade with them for as many horses as they could spare.

The speech made a favorable impression. The chief, in reply, thanked us for our expressions of friendship toward himself and his nation, and declared their willingness to render us every service. He lamented that it would be so long before they should be supplied with firearms, but that till then they could subsist as they had heretofore done. He concluded by saying that there were not horses enough here to transport our goods, but that he would return to the village to-morrow, bring all his own horses, and encourage his people to come over with theirs. The conference being ended to our satisfaction, we now inquired of Cameahwait what chiefs were among the party, and he pointed out two of them. We then distributed our presents."

Sacajawea had now become not only guide and interpreter but diplomat as well. Her presence reassured the doubting Snakes, and through her intercession they were convinced of the friendliness of Lewis and Clark and the peaceable character of their mission.

The council over, the captains turned their attention to their future course. Game was

scarce. Information given them as to the "Columbia," (meaning the Lehmi, a tributary of the Salmon river) was discouraging. Therefore it was necessary that they should be off at once. It was agreed that Captain Clark in command of 11 men together with Charbonneau and Sacajawea should start forthwith on August 18, for the camp of the Shoshones where he was to leave them "in order to hasten the collection of horses." He was "then to lead his men down the Columbia, and if he found it navigable, and the timber in sufficient quantity, begin to build canoes. As soon as he had decided as to the propriety of proceeding down the Columbia, or across the mountains, he was to send back one of the men with information of it to Captain Lewis, who by that time would have brought up the whole party and the rest of the baggage as far as the Shoshonee village."

Cameahwait and some of his braves accompanied Captain Lewis and remained with his party until August 30, when they set their faces towards the Missouri, and Lewis and Clark "accompanied by the old guide, his four sons, and another Indian, began the descent of the (Lehmi) river along the same road which Captain Clark had previously pursued."

Wednesday, September 4, they "crossed a high mountain (of the Bitter Root range)" which forms the dividing ridge between the waters of the (Fish) creek, where we had been ascending and those (of Clark's river) running to the north and west. In the wide valley (Ross' Hole)—we discovered a large camp of Indians. A council was immediately assembled, white robes were thrown over our shoulders, "and the pipe of peace was introduced."

This was a large encampment of 33 lodges and 400 people of the Ootlashoots,—“one band of a nation called Tushapaws,” Lewis and Clark called them “Flatheads” and their proper title is Selish. They are described as “kind and friendly and willingly shared with us berries and roots, which formed their only stock of provisions.”

We shall now turn for a moment from the narrative of Lewis and Clark,—the white men's viewpoint,—to the story of Michel Rivias, the old Flathead Indian, who heard the following account of their coming from his grandmother, the wife of François Rivias. The statement is, in substance, this:

"At the time Lewis and Clark came through the Rocky mountain country the great chief of the Selish (Flatheads) was Stem-oo, Grizzly-Bear-Standing. The people were amazed at the fair complexions of the strangers and treated them with great kindness. Stem-oo addressed the tribe saying:

"Take buffalo robes and put on their backs. Maybe they have no blankets!"

Two days after the arrival of Lewis and Clark the Flatheads started for the Three Forks of the Missouri and the Yellowstone on their autumnal buffalo hunt.

The explorers pushed on to Travelers' Rest creek now known as Lo Lo.

On September 6, the name of Clark's river, or Clark's Fork of the Columbia, was given to that stream by Captain Lewis, because his comrade was the first of their party to discover it. In a like manner, Captain Clark bestowed the name Lewis river upon the Snake to commemorate its discovery by Captain Lewis. This exchange of geographic compliments was characteristic of the two men.

We shall consider only in the briefest and most cursory manner the journey of the expedition from the Bitter Root mountains to the Pacific. Curiously enough, Montana was the theater of their most dramatic and critical experiences both on the way west and the return trip, and as our main interest is in this state, we shall confine ourselves chiefly to the happenings which took place within its borders.

It is therefore sufficient to note that on September 10 they found a Selish (Flathead) who consented to remain with them and act as guide and interpreter. The 14th saw them across the "last high ridge of mountains (the Bitter Root)" and they camped on the Choppunnish river, a branch of the Clearwater, called in our day by the latter name. On the

21st they approached the mouth of the Choppunnish, where they came upon two Indian villages of approximately thirty tipi's of Choppunnish or Nez Percés.

From the Indian villages they followed the river to a point at the confluence of the Choppunnish and Kooskooskee rivers. Five canoes were constructed there and early on October 7th the entire party floated down the Kooskooskee. Five days later they entered Lewis (Snake) river and arrived at its mouth where it mingles with the Columbia.

On November 16, 1805, they caught sight of the Pacific ocean and camped at Haley's bay on the north bank of the Columbia, eleven miles from Cape Disappointment. There they remained until the 25th of the month.

Captain Lewis chose a site for permanent quarters on December 7th, close to the ocean and on the south bank of the Columbia. They built cabins from the lofty and plentiful trees and in these comfortable houses lived during the winter of 1805-6. This camp, they called Fort Clatsop.

The 23rd of March 1806 found them launched on their homeward trip.

We shall consider only the principal events of the return journey. The journal of Monday, June 30, 1806 records:

" \* \* \* before sunset we made 19 (more) miles, and reached our old camp on the south side of the creek near its entrance to Clark's river."

Gass writes:

"June 30th. We halted for dinner at the same place where we dined on the 12th of September, 1805, as we passed over to the western ocean. \* \* \* In the evening we arrived at (that point on) Travelers' Rest creek where the party rested two days last fall, and where it empties into Flathead (called Clark's) river."

This was the point determined upon where the party was to separate. There they rested for a few days.

The entry of July 1st, tells of their future routes:

"We now formed the following plans of op-

erations: Captain Lewis, with nine men, is to pursue the most direct route to the falls of the Missouri, where three of his party (Thompson, Goodrich, and McNeal) are to be left to prepare carriages for transporting the baggage and canoes across the portage. With the remaining six he will ascend Maria's river to explore the country and ascertain whether any branch of it reaches as far north as latitude 50 degrees, after which he will descend that river to its mouth. The rest of the men will accompany Captain Clark to the head of Jefferson river, which Sergeant Ordway and a party of nine men will descend, with the canoes and other articles deposited there. Captain Clark's party, which will then be reduced to ten (men and Sacajawea), will proceed to the Yellowstone, at its nearest approach to the Three Forks of the Missouri. There he will build canoes, go down that river with seven of his party, and wait at its mouth till the rest of the party join him. Sergeant Pryor, with two others, will then take the horses by land to the Mandans. From that nation he will go to the British posts on the Assiniboin with a letter to Mr. (Alexander) Henry, to procure his endeavors to prevail on some of the Sioux chiefs to accompany him to the city of Washington."

On July 3rd Captain Lewis in command of nine men, including Drewyer and the two Field brothers, and an additional escort of five Indians traveled north on the west bank of Clark's river. The Indians, who knew the country, proved of service. They showed Captain Lewis a trail which they assured him would lead to the eastern fork of Clark's (the Hellgate) river and a second river, the Cokalashikit (Big Blackfoot), or "the River of the Road to Buffalo," thence to Medicine river and the Missouri. Following these directions, Captain Lewis arrived safely at the great falls of the Missouri river. From that point he proceeded northwest seeking the sources of Maria's river. On this excursion the party encountered a company of Gros Ventres, usually confused with the Blackfeet. One of them stole Field's rifle. A fight ensued during which

Field, after stabbing the Indian to the heart, recovered his gun. Simultaneously, others of the war-party were engaged in an attempt to capture the horses. The salvation of the white men depended on speedy transportation and the horses were the only means at their command. Captain Lewis shot and mortally wounded a Gros Ventre, the ponies were recovered and the entire command fled in the direction of the Missouri, making more than one hundred and twenty miles in twenty-four hours.

On this same trip, Captain Lewis was mistaken for game, and shot in the hip by one of his men. The injury did not prove serious.

Meantime, Captain Clark with fifteen men and fifty horses, left Captain Lewis on July 3rd, followed the west bank of Clark's river from Travelers' Rest creek, and struck out in a southerly direction to its sources on the Rocky mountains. They crossed the range on July 5th and descended into "Ross' Hole" the spot where they had met the Selish (Flatheads) the year before.

At this point Sacajawea's services were of the greatest value. The journal says:

"Sunday, July 6. The night was very cold, succeeded by frost in the morning; and as the horses were much scattered we were not able to set out much before nine o'clock. We then went along the creek for three miles, and leaving to the right the path by which we came last fall, pursued the road taken by the Ootlashoots (Flatheads), up a gentle ascent to the dividing mountain, which separates the waters of the middle fork of Clark river from those of Wisdom and Lewis rivers. On reaching the side (east) we came to Glade creek, down which we proceeded, crossing it frequently into the glades on each side, where the timber is small, and in many places destroyed by fire, where are great quantities of quamash, now in bloom. Along the roads are appearances of buffalo paths, and some old heads of buffalo; and as the animals have wonderful sagacity in their choice of their roads, the coincidence of a buffalo with an Indian road was the strongest assurance that it was the best. In the afternoon we passed along the



hillside north of the creek till, in the course of six miles, we entered an extensive level plain. Here the tracks of the Indians scattered so much that we could no longer pursue them. But Sacajawea recognized the plain immediately. She had travelled it often during her childhood, and informed us it was the great resort of the Shoshones, who came for the purpose of gathering quamash and cows, and of taking beaver, with which the plain abounded, and that Glade creek was a branch of Wisdom river, and that on reaching a higher part of the plain we should see a gap in the mountains, on the course to our canoes, and from that gap a high point of mountains covered with snow. At a distance of a mile we crossed a large creek from the right, rising, as well as Fish creek, in a snowy mountain, over which there is a gap. Soon after, on ascending a rising ground, the country spreads itself into a beautiful plain, extending north and south, about fifteen miles wide and thirty in length, and surrounded on all sides by high points of mountains covered with snow, among which was the gap pointed out by the squaw, bearing S. 56 degrees E."

The entry in the journal dated July 13, 1806, is of particular interest as it shows how Sacajawea performed her last great service for the explorers. It reads:

"Early in the morning they set out, and at noon reached the entrance of Madison river, where Sergeant Pryor had arrived with the horses about an hour before. The horses were then driven across Madison and Gallatin rivers, and the whole party halted to dine and unload the canoes below the mouth of the latter. Here the two parties separated. Sergeant Ordway with the nine men set out in six canoes to descend the (Missouri) river, while Captain Clark with the remaining ten, and the wife and child of Charbonneau, were to proceed by land, with fifty horses, to Yellowstone river. They set out at five in the afternoon from the forks (Three Forks) of the Missouri, in a direction nearly east; but as many of the horses had sore feet, they were obliged to move slowly, and after

going four miles halted for the night on the (north) bank of Gallatin river (opposite Logan). \* \* \* The plain was intersected by several great roads leading to a gap in the mountains, about 20 miles distant, in a direction E. N. E., but the Indian woman, who was acquainted with the country, recommended a gap more to the southward. This course Captain Clark determined to pursue; therefore, at an early hour in the morning,

"July 14th, he crossed Gallatin river in a direction S. 78 degrees E., and passing over a level plain, reached the Jefferson (sic—read Gallatin again) at the distance of six miles. That river is here divided into many channels, which spread for several miles through the low grounds, and are dammed up by the beaver in such a manner that, after attempting in vain to reach the opposite side, the party were obliged to turn short about to the right, till with some difficulty they reached a low but firm island, extending nearly in the course they desired to follow. The squaw now assured Captain Clark that the large road from Medicine (Sun) river to the gap (Bozeman Pass) they were seeking crossed the upper part of this plain. He therefore proceeded four miles up the plain and reached the main channel of the river (i. e., the West Gallatin), which is still navigable for canoes, though much divided and dammed up by multitudes of beaver. \* \* \*

"July 15. After an early breakfast they pursued the buffalo-road over a low gap (Rocky cañon) in the mountain to the heads of the eastern (or middle) fork of Gallatin river, near which they had camped last evening; and at the distance of six miles reached the top of the dividing ridge (Bozeman Pass), which separates the waters of the Missouri and the Yellowstone; on descending this ridge, they struck one of the streams (Billman's or Trail creek) of the latter river. They followed its course through an open country, with high mountains on each side, crowded as usual with beaver-dams. Nine miles from the top of the ridge they reached the Yellowstone itself, about a mile and a half below (the point)

where it issues (through Lower cañon) from the Rocky mountains.

"It now appeared that communication between the two rivers was short and easy. From the head of the Missouri at its Three Forks to this place is a distance of 48 miles, the greatest part of which is through a level plain; indeed, from the forks of the eastern branch of Gallatin (i. e., Three Forks of East Gallatin river), which is there navigable for small canoes, to this part of the Yellowstone, the distance is no more than 18 miles, with an excellent road over a high dry country, with hills of inconsiderable height and no difficulty in passing."

Captain Lewis and his command joined Captain Clark's party below the mouth of the Yellowstone, on the Missouri, on August 12, precisely one year after the former had crossed the Continental Divide on the journey West. After a short rest the united command started at three o'clock, down the river.

They arrived at the Mandan villages on Thursday, August 14th, and the ever-hospitable natives welcomed them with delight, and made them presents of corn.

There, at the Mandan settlements, the romance of Sacajawea, the Bird Woman, sometimes called the "Boat-Launcher," ends. She flashed, meteor-like, out of the wilderness, then was lost forever. The humble slave woman had no thought that she was a heroine and that her memory would live co-equal with the white men she had served. And it is probable that the leaders themselves, though acknowledging her usefulness, did not truly appreciate the magnitude of their obligation to her. Time is the impartial judge that decides between the upstart and the hero; the vain-glorious and the unconsciously great, and through the perspective of years, apportions oblivion or everlasting fame.

Sacajawea, from the entrance of the party into Shoshone territory was guide, interpreter and diplomat. Possessing a remarkable memory for landmarks and locations, she showed

the way to the ultimate sources of the Missouri. Upon the return journey she led Captain Clark and his command out of Ross' Hole when they were utterly lost, and she pointed out the southern (Bozeman) pass when otherwise the expedition would have gone astray. In lesser things she was no less faithful. On the Pacific coast she gave Captain Lewis her treasured ornament, a girdle of blue beads, in order that he might barter it for a pelt of sea-otter. In an hour of sore distress, suffering from hunger, she bestowed upon him a piece of dry bread which she had saved for her baby.

When all was over, and her services were done she returned to share the lodge of the dissolute *voyageur*, Charbonneau, with two other women. Toussaint Charbonneau had proved himself in every crisis "an arrant coward," to quote the words of Captain Clark, who upon one occasion had stayed the arm of the man just as he was dealing Sacajawea a blow.

The parting between Lewis and Clark and Sacajawea and her husband is described in the following passage from the journal:

"August 17th. The principal chiefs of the Minnetarees came down to bid us farewell, as none of them could be prevailed on to go with us. This circumstance induced our interpreter, Charbonneau, with his wife and child, to remain here, as he could be no longer useful. Notwithstanding our offers of taking him with us to the United States, he said that he had there no acquaintance and no chance of making a livelihood; and that he preferred remaining among the Indians. This man has been very serviceable to us, and his wife was particularly useful among the Shoshones. Indeed she has borne with a patience truly admirable the fatigues of so long a route, encumbered with the charge of an infant, who is even now only 19 months old. We therefore paid Charbonneau his wages, amounting to \$500.33, including the price of a horse and a lodge purchased of him; and soon afterward

dropped down to the village of Big White, attended on shore by all the Indian chiefs, who went to take leave of him."

Charbonneau was paid, but it will be observed that Sacajawea received no material reward. It is as well. Her services were priceless.

Lost in oblivion for a century her memory lives with that of Thomas Jefferson and Lewis and Clark.

Charbonneau was Prince Maximilian's interpreter and he is mentioned by Charles Larpenteur, who met him in 1838.

Brackenridge, the celebrated traveler, saw Sacajawea in 1811, and described her as being in poor health. Recently new light has been shed on her later life and her death. Her adopted son Basil (the nephew whom she found while on her journey with Lewis and Clark) and her own son Baptiste, whom she carried an infant across the continent, lived with her and acted as scouts. Basil, the elder, took particular care of Sacajawea in her declining years and was buried with the medal around his neck which Lewis and Clark had given Charbonneau.

Sacajawea died in 1884, and was interred on Wind river or Shoshone reservation, Fremont county, Wyoming.

The parish records contain the following entry:

"April 9, 1884. Basil's mother, Shoshone, one hundred years, residence Shoshone Agency. Cause of death, old age. Place of burial, Burial Grounds, Shoshone Agency."

This interesting item is from a journal published by the students of the Shoshone Industrial School:

"The Sacajawea Tablet: The last resting place of that famous Shoshone woman, Sacajawea, 'the Boat Launcher,' has finally been appropriately marked until such time as the National or State Legislature is ready to erect such a monument as the distinguished services of this woman would warrant.

"A handsome tablet of solid brass, 8 by 12 inches in size, engraved as follows:

Sacajawea.

Guide to Lewis and Clark Expedition,  
1805-1807.\*

Identified by Rev. John Roberts,  
Who Officiated at Her Burial,  
April 21, 1884.

was presented by Hon. Timothy F. Burke, of Cheyenne, to Supt. Wadsworth, who, assisted by Principal C. E. Faris, Farmer J. J. Guyer, Carpenter G. A. Bell and Teacher W. L. Bolander, erected a neat concrete pedestal at the grave, for the reception of the same. A few days afterwards the tablet was duly placed in position, there being present in addition to the above named gentlemen, Rev. John Roberts, who conducted the burial services of the noted woman more than a quarter of a century ago, and Mr. Wilbur E. Elliot, Special Agent of the Indian Service, who was making an official visit here at the time."

On Monday, August 18, Lewis and Clark took leave of the Mandans, embarked and floated down the Missouri. The trip homeward was made without accident or misfortune, and in their own words they "rounded to St. Louis where we arrived at 12 o'clock (Friday, September 23, 1806), and having fired a salute, went on shore, and received the heartiest and most hospitable welcome of the whole village."

So ended the Lewis and Clark expedition,—the most remarkable voyage of discovery in the annals of our history.

Captain Meriwether Lewis, leader of the expedition, was made governor of Louisiana Territory on March 3, 1807. This brilliant and courageous young man came to an untimely and tragical end at the age of thirty-five on October 11, 1809. His death is shrouded in mystery. In the fulness of his reward for services to his country, on his way to Washington, where he was assured of a hearty welcome, he died of a pistol shot at a public house of shady reputation, known as Grinder's Stand, on the "Natchez Trace," an old military road. He was probably murdered.

\* The dates are obviously incorrect.



A monument to the young American path-breaker has been erected over his grave in Lewis county, Tennessee. It is a broken column of Tennessee marble and the following inscription is sculptured on the plinth:

"Meriwether Lewis, Born near Charlottesville, Va., Aug. 18, 1774, died Oct. 11, 1809, aged 35 years. An officer of the Regular Army. Commander of the expedition to Oregon in 1803-1806. Governor of the Territory of Louisiana. His melancholy death occurred where this monument now stands, and under which rest his mortal remains.

"In the language of Jefferson: 'His courage was undaunted. His firmness and perseverance yielded to nothing but impossibilities. A rigid disciplinarian, yet tender as a father to those committed to his charge; honest, disinterested, liberal, with a sound understanding, and a scrupulous fidelity to truth.'

*"Immaturus obi: sed tu felicior annos Vixit meos, Bona Respublica! Vixit tuos.* Erected by the Legislature of Tennessee, A. D. 1848."

William Clark was appointed brigadier-gen-

eral of militia in Louisiana and Indian agent for the same territory, by Jefferson in 1807. In 1813 he was made governor of Missouri territory, a position which he filled creditably until 1820, when the territory became a state. Many honors were deservedly bestowed upon him and he held various federal offices of trust. President Monroe appointed him superintendent of Indian Affairs, a position for which he was peculiarly qualified and which he held until he died.

He was always successful in his dealings with Indians, because of his sympathetic understanding of them, his absolute honesty and his quiet authority. The different tribes loved and respected him. Amongst them he was affectionately known as "the Red-Head," and St. Louis, his home, was to them "Red-Head's town."

Captain Clark was married twice, and he was the father of seven children. He died in 1838 in St. Louis, at the age of sixty-eight, the first brilliant achievement of his youth having been fully borne out by his riper years.

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## CHAPTER VII.

### EARLY AND LATER EXPLORERS

There were three distinct kinds of explorers who influenced the destiny of the West,—namely, those whose object was science, such as Michaux, Lewis and Clark, Long, Bradbury, Brackenridge, Wyeth, Townsend, Maximilian, Catlin, Audubon, Schoolcraft and others; those who were actuated by commercial motives, including whom were Captain Grey, Manuel Lisa, Bonneville, Hunt, Fraser, McKenzie and various representatives of the great fur trade; lastly, there were those adventurers who roved for sheer love of the thing, and whose daring was its own sufficient reward.

The Vérendryes, the discoverers of the Rocky mountains, and Lewis and Clark, who completed the heroic task which the gallant Frenchmen had begun, we have read of at length in previous chapters. Though they stand out alone,—the Vérendryes as the pioneers, Lewis and Clark as the triumphantly successful western explorers,—we cannot leave this subject without considering some of the other daring spirits, who added their contribution to the history of the West.

Of the many Rocky mountain explorers we shall mention only a few of the more notable of those that penetrated what is now Montana. This, of course, excludes numbers of famous men who crossed the Rockies via the South Pass and Green river.

The story of the early fur-traders, who were also trail-blazers, will form another chapter.

The first of these explorers whom we shall consider is Maximilian, Prince of Wied-Neuwied, in Rhenish Prussia. Alexander Philip Maximilian was born in September, 1782. His father, Friedrich Karl, was the reigning potentate of the small principality. Prince Maxi-

milian was the eighth child of the family, and while he was still very young he evinced a strong liking for science. He joined the Prussian army and fought in the battle of Jena. After this he was for a time a prisoner of the enemy. He was exchanged and permitted to go back to his home, where he took up his interrupted scientific studies. Once more, however, he was called to serve his country. He distinguished himself, was promoted to a major-generalship, was awarded the iron cross at Chalons, and as a climax in his military career, entered Paris with the conquering army in 1813.

But while Maximilian fought, he dreamed of voyages of discovery and pursuits of peace. When he was free to follow his inclinations, he started in 1815 for Brazil. Upon his arrival in South America he was joined by two other German men of letters and in their company he spent two years in the jungles, making an exhaustive study of native tribes, animal and vegetable life. In due course the prince *savant* returned to the little sovereignty in Prussia. There he spent years in classifying his collections, and writing an account of his discoveries. This finally culminated in a publication—*Reise Brasilien nach in den Jahren 1815 bis 1817* (Frankfurt, 1820-21). This work was rendered into English, Dutch and French, being later supplemented by a second book, *Beitrage zur Naturgeschichte von Brasilien* (Weimar, 1825-33), explanatory of ninety plates, entitled, *Abbildungen zur Naturgeschichte Brasiliens* (Weimar, 1822-31).

Maximilian now attained an enviable reputation as a naturalist and explorer.

The task of recording his Brazilian journey

done, the prince put into execution that which had long occupied his fancy,—a trip to North America in the interest of science, and the exploration of the trans-Mississippi country. He sailed on an American vessel from Helvoetsluys, May 17, 1832, and landed at Boston on the 4th of July.

On the voyage Maximilian had for a companion one Charles Bodmer, a Swiss artist of unusual ability. With forethought he engaged this young man to paint landscapes characteristic of the strange country they were to visit and types of the native inhabitants. Scarcely less credit is due to Bodmer than Maximilian, for in his paintings of North American Indians he rendered valuable service to ethnology. No detail was too slight for Bodmer's painstaking brush, and as a result we have in the plates made from his sketches a priceless record of the Indians, their dress, habitations and the articles of daily use amongst them. Bodmer, who was born in Jurich in 1805, studied art in Paris and was technically well equipped for the task before him. He was beset by many difficulties. The Indians were fickle and capricious as models, and had to be handled with rare tact as well as bribery. Once, during the winter at Fort Clark, his paints froze and threatened him with calamity. Again, he was lost on the prairies. However, all ended well and he and his materials were spared to perform their duty to science.

Besides Bodmer, Maximilian had with him a hunter, Dreidoppel, who had served him faithfully in Brazil.

The party visited Boston, New York and Philadelphia, but the cities had little of interest for the prince. He hastened to the woods of Pennsylvania to inure himself to the hardships of western travel.

In the autumn, the original plan to go west via the Great Lakes having been altered by an epidemic of cholera at Buffalo and Detroit, the prince and his party landed at Pittsburg. The Ohio was low at that season and navigation impossible, so they journeyed to Wheeling, where, on October 9th, they began the

descent of the river. Louisville was also afflicted with cholera, consequently with all haste they proceeded to Wabash. There they stopped to visit a settlement of naturalists at New Harmony.

Maximilian found congenial company there and accordingly he remained contentedly in the communistic colony during the winter of 1832-33.

In the spring, on March 16, 1833, the party went by steamboat to the mouth of the Ohio, thence up the Mississippi. They reached St. Louis in good season.

Maximilian was a scientist of international fame, and upon his arrival at that city was at once taken under the friendly protection of General William Clark, who invited him to go with a party of Sauk and Foxes under the leadership of Keokuk, to see Black Hawk and other Sauk chiefs then imprisoned at Jefferson Barracks. This was the prince's first glimpse of the American Indian and he was much impressed.

His destination was the Rocky mountains, and he had expected to reach them by joining one of the expeditions of the Rocky Mountain Fur Company. General Clark, Major O'Fallon and other authorities advised him against this plan and suggested, instead, that he proceed to the post of the American Fur Company on the Missouri. This journey could be accomplished by steamboat,—the company sending one vessel west annually.

The little party embarked aboard the steamboat *Yellowstone* on April 10, 1833. The boat was then on its third trip to the Upper Missouri, and Kenneth McKenzie was a fellow-passenger of the prince.

It is interesting to note that Major O'Fallon,—in many respects the *beau ideal* of western history,—presented Prince Maximilian with a map copied directly from one made by Captain Clark during his famous journey to the Pacific. This gift proved invaluable to the German scientist, who used it constantly.

At Fort Pierre, the principal post of the American Fur Company among the Sioux,



the passengers of the *Yellowstone* were transferred to the *Assiniboine*. Travel was slow. However, on June 18th the prince and his companions reached Fort Clark, a post situated very near one of the Mandan villages, close to the modern city of Bismarck, South Dakota.

Only one day was spent there. They continued up the Missouri to the mouth of the Yellowstone river, thence to Fort Union, where they arrived on June 24th. Maximilian lingered for two weeks at this historical spot, then by means of a keel-boat traveled to the post of the great confederated Blackfeet nation on Maria's river,—Fort McKenzie.

This frontier post proved to be of great interest to the German scientist, consequently he decided to remain for two months, in order to study the Indians, the country and the fur traders. During his sojourn there the feud between the Blackfeet and Assiniboines flamed into actual hostilities and further penetration of the Rocky mountain region was therefore made untenable, even for a hero of Napoleonic battlefields.

Maximilian's stay at Fort McKenzie is graphically described by Lieutenant Bradley in this interesting item from his journal, entitled, "Affairs at Fort Benton":

"In this year an interesting character in the person of Prince Maximilian, from Coblenz on the Rhine, made his first appearance in the Upper Missouri. The Prince was at that time nearly seventy years of age (fifty-five), but well preserved, and able to endure considerable fatigue. He was a man of medium height, rather slender, sans teeth, passionately fond of his pipe, unostentatious and speaking very broken English. His favorite dress was a white slouch hat, a black velvet coat, rather rusty from long service, and probably the greasiest pair of trousers that ever encased princely legs. The prince was a bachelor and a man of science, and it was in this latter capacity that he had roamed so far from his ancestral home on the Rhine. He was accompanied by an artist named Boadman (Bodmer) and a servant whose name was, as nearly as the

author has been able to ascertain its spelling Tritripel (Dreidoppel), both of whom seemed gifted to a high degree with the faculty of putting their princely employer into a frequent passion, till there is hardly a bluff or a valley on the whole Upper Missouri that has not repeated in an angry tone, and with a strong Teutonic accent, the names of Boadman and Tritripel.

"The prince had ascended the Missouri from St. Louis to Fort Union in the steamer *Assiniboine*, ranging the shore at every opportunity in quest of new objects to add to his collection of small quadrupeds, birds, botanical specimens and fossils; keeping his artist as busy as his easy nature allowed in making sketches of the scenery on the route. Arrived at Fort Union, he requested permission to accompany Mitchell's keel-boat to Fort McKenzie and was allowed to do so. During the voyage he improved the opportunities it afforded, and made constant additions to his collections. He remained at Fort McKenzie about a month, when he was furnished with a small mackinaw boat, in which with his party he descended to the Mandan village, leaving a hearty invitation to Mitchell and Culbertson to visit him in Europe and the promise to send the former the present of a double-barreled rifle and the latter a fine meerschaum. He remained at the Mandan village the following winter, when he had a severe attack of the scurvy, but aided by the restorative qualities of wild onions was enabled to recover and return home to write an account of his travels, which was published in German, with illustrations, and afterwards translated into English. McKenzie subsequently visited him in his palace at Coblenz, where he lived in a style befitting a prince, and was received with great cordiality and entertained with lavish hospitality. He inquired whether the double-barreled gun and the meerschaum had reached their destination, as he had remembered his promise and forwarded them soon after his return to Europe. They had not, and never were received, for it subsequently appeared that the vessel in which they were shipped was lost, so they are prob-

ably now among the ill-gotten hoards of the Atlantic.

"During the prince's stay at Fort McKenzie he had an opportunity to witness an Indian battle. In the latter part of August, while a trading party of thirty Piegans under Stumick-es-te-ki-e, Lane Bull, were encamped under the walls of the fort, they were suddenly charged at dawn of day by about fifteen hundred Assiniboiné warriors. As the Assiniboinés swarmed down the bluffs and over the valley toward the fort, it was supposed that they were attacking the fort, and its entire garrison of seventy men rushed to arms and opened fire upon the advancing swarms. The prince, too, seized his gun and manned one of the port holes of the upper bastion. His gun was already loaded, but overlooking it in the excitement of the moment, he rammed down another charge of a size proportioned to the extreme gravity of the occasion. Then discerning, through his port-hole, an Assiniboiné warrior within range of his weapon, he leveled his gun, covered the person of that miserable Assiniboiné with a careful aim, pulled the trigger, and proceeded to revolve with great rapidity across the bastion till he came in severe contact with the opposite wall and fell stunned to the floor. The garrison had by this time discovered the real object of the attack, and under the orders of Mitchell had ceased to fire, after inflicting upon the Assiniboinés the loss of one man, possibly, though not probably, the prince's intended victim.

"The Piegans, when the attack began, attempted to rush into the fort, the gates being opened for their admittance. They might easily have done so, but being too solicitous of their saddles and other effects, they blocked the gateway with them, impeding their entrance to such an extent that about twenty-five men, women and children were overtaken and killed at that point. Major Culbertson stood at the gate endeavoring to facilitate the entrance of the Piegans, when the Assiniboinés came swarming around him. They might easily have killed him, but forbore to do so. 'Get out of the way! Get out of the way!'

cried Luncia, or Longhair, pushing him to one side and despatching a Piegan that he was helping in. This Luncia was afterwards for a number of years the principal chief of the upper Assiniboinés, and lived to a great age, dying in February, 1874. Major Culbertson was at that time interpreter at Fort Belknap Agency, when the Assiniboinés received their annuities, and he and Luncia had many a laugh over the comic incidents of this attack."

Maximilian, having obtained valuable data at Fort McKenzie, and finding further Rocky mountain exploration unduly dangerous on account of the hostilities of the Blackfeet and Assiniboinés, as we have already noted, determined to return to the neighborhood of the Mandan villages, there to study those interesting people as well as the Minitarees.

The steamboat had already returned, so the chief factor at Fort McKenzie considerably had built a barge upon which Maximilian with Bodmer, Dreidoppel, a few *voyageurs*, "two cages of live bears and several animal pets," floated down the river.

On his westbound journey he had caught but tantalizing glimpses of the Sioux, the Arikaras, the Mandans and Minitarees. Now he could study them at leisure.

The American Fur Company authorities willingly granted the prince permission to stay during the winter at their post, Fort Clark, situated near the Mandan settlements. McKenzie, who was in charge there, had constructed for him a little cabin within the shelter of the stockade. He was treated with the courtesy befitting one of his rank and intellectual eminence.

It is an interesting fact that Maximilian's interpreter was none other than Toussaint Charbonneau, who, with his wife Sacajawea, had accompanied Lewis and Clark on their journey across the continent.

The prince became ill with scurvy and on the 18th of May he was once again at Fort Leavenworth. On July 16th, he sailed for his native land, there to reflect upon and record his adventures in North America.

He had many celebrated friends and correspondents in the United States, among them Thomas Say, entomologist of Major S. H. Long's expedition; George Catlin, Major O'Fallon, General William Clark and others.

That Prince Maximilian was broad and unprejudiced in his general viewpoint of our American civilization is attested by the following extract from the preface to his "Travels in North America":

"There are two distinct points of view in which that remarkable country may be considered. Some travellers are interested by the rude, primitive character of the natural face of North America, and its aboriginal population, the traces of which are now scarcely discernible in most parts of the United States; while the majority are more inclined to contemplate the immigrant population, and the gigantic strides of civilization introduced by it."

On this remarkable journey Prince Maximilian performed a real service to ethnology and philology. His observations, experiences and conclusions are contained in his "Travels in North America in the years 1832, 1833 and 1834." The work has been translated from the original German into English and French. The English edition contains the author's account of the sign language, catalogues of birds inhabiting the Missouri and Wabash river valleys, meteorological observations and graphic descriptions of the country west of the Mississippi.

This was the prince's last journey abroad. He died in 1867, leaving valuable collections and a famous library. These are "yet cherished as the chief treasures of Neuwied, where his grand-nephew, Wilhelm, still directs the principality's affairs."

A word must be said of Bodmer, the plates from whose admirable paintings form a priceless supplement to the works of Maximilian.

He returned to France, settled at Barbizon, in the storied forest of Fontainebleau, amongst an ideal colony of artists. He was successful, especially as a landscape painter. He was awarded medals of honor at the *Salons* of

1851, 1855, and 1863. In 1876 the ribbon of the Legion of Honor was bestowed upon him. In addition to these triumphs the French government bought one of his pictures for the Luxembourg Gallery.

John James Audubon, the celebrated naturalist, undertook a trip to the upper Missouri "for the sake" (as he writes) "of our work on the 'Quadrupeds of North America.'" Every student of bird and animal life is familiar with the writings of this eminent scientist.

Audubon was born of French and Spanish parents on his father's plantation in the vicinity of New Orleans, on May 4, 1780. We are told by his biographer that "his earliest recollections are associated with lying among the flowers of that fertile land, watching the movements of the mocking-bird 'the King of Song,' dear to him in after life from many associations. He has remarked that his earliest impressions of nature were exceedingly vivid; the beauties of natural scenery stirred 'a frenzy' in his blood and at the earliest age the bent of his future studies was indicated by many characteristic traits."

He was no longer young when he set out on March 11, 1843, from New York for the northwest, but he was still fired by that same divine enthusiasm for his chosen life-work which made vicissitude unimportant in the face of results obtained. He and his companions crossed the Alleghany mountains to Wheeling, thence on board steamers they proceeded to Cincinnati and St. Louis. From the latter port they went to Jefferson City and then on up the great river Missouri.

His journal describes the slow and tedious journey through country traversed by the earlier path-finders. Nothing of particular moment occurred to break the monotony. The journal abounds in notes on the Indians which show that the author had less knowledge of them than he had of birds and quadrupeds. This is a curious inconsistency in a man of unquestioned scientific attainments.



Lieutenant Bradley in his "Affairs at Fort Benton" writes thus of Audubon's visit:

"John J. Audubon, the celebrated naturalist had this summer arrived at Fort Union, and with four assistants was busily employed in making a collection of quadrupeds and gathering various scientific data. He sought Major Culbertson's co-operation in his researches, who from his intimate knowledge of the country was able to be of much service to him. When Mr. Audubon was ready to return in the fall, he was provided with a mackinaw, in which Major Culbertson accompanied him as far as Fort Pierre. Major Culbertson speaks of Mr. Audubon as a man devoted to scientific studies. \* \* \* Notwithstanding his age, he could range the wood and prairies all day in the pursuit of objects for his collection, and Major Culbertson, though a young and vigorous man, found it difficult to tire him."

Audubon found this western country so prolific of rare specimens he wished to collect and study, that he desired his assistants or some of their number to stay all winter. He says:

"My regrets that I cannot remain myself are beyond description, and I now sadly regret that I promised to all that I would return home this Fall."

However, the first chill blasts made the old man conscious of gathering years. The journal, under date of August 3 states:

"We observed yesterday for the first time that the atmosphere wore the hazy appearance of the Indian summer. The nights and mornings are cold, and summer clothes are beginning to be uncomfortable."

His widow and biographer adds:

"The exposure and hardships he encountered in this long journey, and on his hunting excursions, had made an impression on his health.

"He began to find that his age was telling on his energy, and that he could not endure hardships as formerly."

He landed in New York the first part of October, 1843. The journey lasted approximately eight months. The fruits of his studies

are to be found in his three volume treatise "Quadrupeds of North America."

On January 27, 1851, Audubon, surrounded by his wife and children, passed peacefully away leaving as a heritage a reputation which has lived and grown so that his name is a household word today.

In sharp contrast to the men of science we have described, whose chief object in braving danger and patiently enduring hardships for the advancement of learning, was Sir George Gore. This picturesque and somewhat eccentric character was a native of Sligo, Ireland. The only purposes of his extensive travels in the northwest, which covered a period of three years, seem to have been sheer love of adventure and the inordinate lust to kill.

Nevertheless, his was "one of the most considerable expeditions to the Rocky mountains undertaken by individual enterprise." The retinue of this doughty Irishman was composed of forty men, one hundred and twelve horses, a dozen yoke of cattle, six wagons, twenty-one carts, to which must be added fourteen dogs. The guide was none other than the celebrated Jim Bridger.

Sir George and his party embarked at St. Louis in 1854 and traveled to Fort Laramie which was situated on the north fork of the Platte river. They wintered there enjoying the chase and the wholesale butchery of buffalo. Fort Laramie was something of a rendezvous, so Sir George had opportunities to study not only the heterogeneous crowd of trappers but the native tribes of that vicinity.

In the spring when overland travel became possible, he sallied forth with his rather cumbersome cavalcade, heading northward over an old Indian trail known to the trappers, and leading to the headwaters of the Powder river. He gained "Portugese Fort" an early trading-post, but being impatient for the wilderness he hurried on down the Powder river, often changing his course, to pursue the hordes of buffalo that abounded there. He finally reached the mouth of Powder river and followed the Yellowstone to the mouth of Tongue river. There, again, was good hunting and

consequently he chose to remain. He established two camps. One, described as a "fort" was erected eight miles above the mouth of the river and in that protected stockade most of his followers stayed during the winter. The location was not quite to the liking of Sir George nor was the grazing especially good, so he took up his quarters at the mouth of the stream where there was variety and plenty of game. In this camp occurred the only misfortune of the trip. One of the men, "Uno," died.

As during the preceding year, with the coming of spring the restless sportsman was off after fresh adventure and new hunting-grounds. He ascended the Tongue river and crossed "Wolf's Tooth" creek flowing through a large cañon. From that point he and his retinue pushed on to the head of Rose Bud river and Wolf mountain. His object now was to locate a certain Crow camp. This he found without difficulty and for several days visited the Indians and a few renegade whites who had joined fortunes with the tribe.

Sir George's route now lay from Wolf mountain to the mouth of Tongue river. At that point his men built two boats, and, having despatched his horses, wagons, carts, and most of his followers by land, he, with a sufficient crew floated down the Yellowstone to Fort Union.

Major Alexander Culbertson of the American Fur Company was in command of the post. The uncertain temper and imperious mien of the Irish nobleman did not make him popular there. His brief stay is recorded by Lieutenant Bradley in the following passage:

"In 1854, Sir St. George Gore, a wealthy English (Irish) bachelor, equipped with a passport from the Indian Bureau, ascended the Missouri river from St. Louis for a protracted hunt in the wilds of the west; he was accompanied by a party of forty-three men, with a numerous train of wagons loaded with abundant supplies, and had secured the services of the famous Jim Bridger as his guide. It was probably the largest, and best appointed, purely pleasure outfit that ever penetrated the western

wilderness. Following up the valleys of the main and North Platte river hunting as he went, he finally crossed to the mouth of Tongue river, where he built a fort for the protection of his party and remained for nine months, trading with the Indians and pursuing his hunting projects. The destruction of game by his party was so great as to excite the indignation of the Crow Indians and bring forth a remonstrance on their part. They were willing they said that all that was needed for food should be killed, but objected to the wholesale slaughter for mere sport, the carcasses being left to rot upon the prairie. From a letter of Col. A. J. Vaughn then Indian agent on the upper Missouri, to the superintendent of Indians affairs at St. Louis, Mo., dated July, 1856, it appears that 105 bears and some 2,000 buffalo, elk and deer had already fallen victims to this British nimrod. At last the Indians in retaliation drove off a considerable part of his horses in one swoop, and subsequently, in the winter of 1856 and '57, while he was wintering between Forts Union and Berthold, made a clean sweep of the remainder.

"In the summer of 1856, Sir St. George broke up his camp at the mouth of Tongue river, and despatching his wagons to Fort Union by land, himself, with a portion of his command, descended the Yellowstone in boats prepared from the hides he had taken. At the mouth of the Yellowstone he remained in camp for two or three weeks, occupying his time in the construction of an elegant mackinaw and in the destruction of his numerous wagons which he had endeavored to sell to the American Fur Company without being able to secure for them the price he demanded. He passed the following winter on the Missouri above Fort Berthold, losing his horses as above recorded, and the next season returned to the east."

The burning of the wagons, Indian stuffs and all supplies not actually necessary to sustain life, in front of the fort, was as spectacular as it was ridiculous, and attests the truth of the description of him as having been "Mercurial, wrathful, effervescent and reckless."

Apprehensive that the representatives of the

American Fur Company might steal the hot iron parts of his wagons, carts, etc., he kept guard over his expensive bonfire until midnight, when he cast the charred remains of his equipment into the waters of the Missouri.

Once more making use of the two boats constructed at the mouth of Tongue river, he and such employes as remained with him went to Fort Berthold.

He wintered there and as the revenue obtained in that section from the fur-trade was comparatively small his presence was hailed with delight by rival factions. He could be as prodigally liberal as unreasonably penurious and as he played the latter part at Fort Union he chose to display the other extreme at Fort Berthold. This instance is given of the nobleman's inconsistency:

"He had been purchasing his beeves of one of the prominent actors in the heady feud which had annihilated brotherly love in Bert-

hold, at \$50 per head. If he was not unconscious of the fight going on, he certainly sought to disguise his nativity by remaining neutral. One day his beef contractor raised fifty per cent on his goods, whereupon the testy Sir George went to a rival dealer in herds, who charged him \$30 per head; whereupon, although he had no use for more than a half-dozen head, he purchased fifty head—perhaps with the view of inculcating a moral lesson."

At last in the spring of 1857 Sir George Gore left the western wilderness for St. Louis, the government having taken steps to curtail his wanton butchery of game.

Most of the other members of the party formed associations and chose to remain behind in the country to which they had become attached.

Such are some of the explorers who followed the trail of Lewis and Clark.

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## CHAPTER VIII

### THE FUR TRADE

The period of the fur trade was the most romantic and important in the history of the primitive west. The trapper was also a pathfinder; the traders were the first to make the solitary trails well-trodden highways and the first to establish regular steamboat navigation on the upper Missouri and their posts were the first permanent settlements in the wilderness.

In the development of this state there have been four distinct epochs: (1) the fur trade, (2) the gold discoveries, (3) stock raising, (4) agriculture.

We shall now consider the first of these.

Before Lewis and Clark returned to civilization, rumors of their discoveries, not of river sources and mountain chains, but of beaver dams,—reached the east. Immediately interest in the fur trade quickened. The young explorers had found the way and the traders would follow hot on their trail. Heroism actuates the few,—commerce the multitude. Thus it took the lure of actual gain to cause the first great movement towards the west.

Of course long before the coming of Lewis and Clark the fur trade had played an important part in the development of both Canada and the United States. Lahontan writing in 1703, said: "Canada subsists only upon the trade of skins or furs, three-fourths of which come from the people that live around the great lakes." Indeed, for many years the whole northwest was to the outside world merely "the Fur Country." The original trapper was the Indian who secured and preserved pelts for his own use. He soon learned, after the advent of his astute white brother, that these furs and hides could be exchanged for useful, decorative and, too often, exhilarating

articles and thus the traffic opened between the two races.

Close upon the moccasined Indian followed the solitary and scarcely less savage white trappers. We have no means of knowing how far they penetrated into the wilderness. They sought no glory,—nothing in fact but pelts,—and consequently left no record to posterity.

Silliman's Journal for January, 1834, makes this sweeping statement:

"The mountains and forests, from the Arctic Sea to the Gulf of Mexico, are threaded through every maze by the hunter. Every river, and tributary stream, from the Columbia to the Rio del Norte, and from the Mackenzie to the Colorado of the West, from their headwaters to their junctions, are searched and trapped for beaver."

Many of the pioneer trappers,—especially those of French-Canadian blood, married Indian women and their off-spring amalgamated with the tribes.

It followed as a logical consequence that as a result of the efforts of these crude but daring men, that keener individuals with capital effected regular organizations to monopolize the output of various sections.

The first company in this vast and lucrative field was, of course, the Hudson's Bay Company an empire and despotism in itself, the rule of which was as magnanimous as it was extensive, as just as it was absolute. Be it said to the everlasting credit of the British, no other nation has ever handled the Indians so successfully, nor preserved a traffic so clean and free from the taint of liquor.

Under the Spanish régime the firm of Maxent, Laclede & Cie was granted a charter by the French intendant in 1762, and held sway

during Spanish supremacy. The picturesque figure of Manuel Lisa, the famous fur-trader, first appears as a factor in this company in which capacity he monopolized the fur trade of the Osage river.

The third concern to enter the field was the Northwest Company organized in Montreal between the years 1783-1805. This was the result of the treaty of Paris which, towards the close of the eighteenth century, opened the St. Lawrence river and the great lakes, to independent trade. A large number of the individuals who took advantage of this were Scotch merchants of Montreal. No licences were necessary to establish and maintain this trade, which by the introduction of whiskey and firearms, became shameful and debauching. With these enticing but illicit methods, the Indians who had for years traded with the Hudson's Bay Company, exchanging their peltries for legitimate commodities, were lured away. The latter corporation, forced to similar methods of competition, sent out *coureurs des bois* to intercept them and a period stained with disgraceful robbery and bloodshed followed. This set no shining example of virtue to the Indians.

In 1781 the petty warfare was brought to an abrupt close by an epidemic of smallpox which raged among the tribes and devastated their settlements.

The merchants of Montreal who had backed these various trading expeditions to the limit of their financial capacity, were threatened with bankruptcy. Therefore, they formed a combination, which today would be called a trust, operating under the name of the North West Company of Merchants of Canada,—popularly known as the North West Fur Company. The future of the new company promised brilliantly. The organization, composed chiefly of Highland Scotchmen, was on a profit-sharing basis. In 1788 the capital was £40,000, in 1798, £125,000. In their employ were two thousand *voyageurs* and as many "free trappers" and *coureurs des bois*. Some of their chief posts were: Fort Assiniboine, Fort

Athabasca, Rocky Mountain House, Fort Kootenai, Spokane House and Coeur d'Alene.

By their arduous efforts they reached the remotest tribes, culling the choicest of their catch of furs and for the next generation they practically controlled the trade of that vast domain extending from the great lakes to the Pacific ocean. The enormous scope of the country upon which they drew took them within the boundaries of the Hudson's Bay Company's grants on the north and the territory of the United States on the south. The necessity for fixing the limits of their operations caused the daring trip of David Thompson in 1798.

The bitterest rivalry existed between the Hudson's Bay and the North West Companies and its final climax was reached in the efforts of each to secure title to the country adjacent to the Red River of the North.

The Hudson's Bay Company determined to found a colony in the valley bordering that river where agriculture should be the chief pursuit. The beaver of that section had been completely annihilated in the greedy quest of furs. Accordingly, Lord Selkirk secured from parliament a grant of 116,000 acres of land south of Winnipeg. Lord Selkirk was a philanthropist and he proposed that this land be used and colonized by impoverished peasants of the Scotch Highlands. In 1812 the emigrants started for the New World amply provided with supplies.

Although the Hudson's Bay Company had absolute right to these lands, they lay directly along the route of the North West Company. The latter, seeing in this new venture of its rival, a dangerous source of future wealth and power set about to demolish it. Representatives of the Northwesters fell upon the unfortunate peasants, killing them without mercy, burning their homes and utterly despoiling them. The government interfered. The result was that in 1821 the North West Company ceased to exist as an independent entity and was absorbed by its older, wiser and stronger rival,—the Hudson's Bay Company, which,

thus reinforced, became more powerful than ever before.

We turn now to the American fur trade and the companies by which it was first controlled. For many years prior to the Lewis and Clark expedition "free trappers" had gone up the Missouri and returned each season with their "catch." Indeed, the explorers met many such coming down the Missouri to St. Louis, the center of the fur trade, while they traveled up the great river.

However, it was not until after the return of the expedition that the pioneer American Fur Company was formed. This was the result of the keen sagacity of Manuel Lisa, formerly with the Spanish Company. Fearless and daring, the shrewd Spaniard was willing to brave the dangers of vacillating tribes and treacherous waters, to gain the wealth of beaver described by Lewis and Clark. He engaged as his guide and chief councillor George Drouillard (Drewyer) Lewis and Clark's hunter and interpreter. In the spring of 1807 Lisa, Drouillard and their party left St. Louis in a keelboat. At the mouth of the Platte they met a boat with a solitary passenger drifting down the river, who proved to be none other than John Colter wending his lonely way to St. Louis. Colter was the man of men whose services Lisa coveted. He had not only covered ground described by Lewis and Clark but in the capacity of trapper he had further explored the beaver meadows and beaver-inhabited streams. As a result Lisa induced him to return to the wilderness. The party proceeded up the Missouri to the mouth of the Yellowstone, thence up that stream to the mouth of the Big Horn river. There Lisa established a fort, known as Fort Lisa, Fort Manuel and Manuel's Fort. Peculiar interest is attached to it because it was probably the first permanent building to be erected within the boundaries of Montana. There he traded with the Crows, returning to St. Louis in the summer of 1808 with a rich stock of furs.

The result of this successful preliminary trip caused the formation of the Missouri Fur

Company of which Lisa was the leading spirit. The agent in St. Louis was Captain William Clark whose discoveries had inspired Lisa with his first dreams of extending the fur trade west. The company was composed of twelve members including Manuel Lisa, William Clark, Reuben Lewis, only brother of Captain Meriwether Lewis, the Chouteau brothers, Andrew Henry and others. The capital invested was about \$40,000. The company was ambitious in its plans, which were to forge ahead into the heart of the wilderness, ascend the headwaters of the Missouri river, found posts at favorable points and thus monopolize the fur trade.

In pursuance of these schemes a large party was dispatched from St. Louis in the spring of 1809. One of the chief ambitions of the company was to establish commercial relations with the Blackfeet. Therefore Andrew Henry, one of the partners, who had accompanied the expedition, chose a spot at the Three Forks of the Missouri and built a fort. The strategic importance of this point had been recognized and commented upon by Lewis and Clark. Possibly the latter may have suggested it as a site to his partners. This old post which stood near the place where the modern town of Three Forks flourishes was thus described by Lieutenant Bradley:

"A double stockade of logs set three feet deep, enclosing an area of about 300 feet square, situated upon the tongue of land (at that point half a mile wide) between the Jefferson and Madison rivers, about 2 miles above their confluence, upon the south bank of a channel of the former stream now called Jefferson slough. Since then the stream has made such inroads upon the land that only a small portion of the fort—the southwest angle—remains. It is probable that every vestige of this old relic will soon disappear, except the few stumps of stockade logs that have been removed by two or three gentlemen of antiquarian tastes. When Henry abandoned the fort, a blacksmith's anvil was left behind, which remained there for 30 or 40 years undisturbed, gazed upon only by the Indians who



regarded it with superstition and awe. At last it disappeared and it is said to have been found and removed by a party of white men."

Mr. Peter Koch of Bozeman saw the ruins of the buildings during the seventies, but since then it has entirely vanished.

These early posts were at once trading houses and fortified strongholds. The following description of their construction and arrangement is given from James Stuart's *Adventure on the Upper Missouri*:

"The store and warehouse, or two stores, were built on each side of the gate, and on the side next to the interior of the fort the two buildings were connected by a gate similar to the main gate, the space between the buildings and stockade filled in with pickets, making a large, strong room, without any roof or covering overhead. In each store, or stores, about five feet from the ground, was a hole eighteen inches square, with a strong shutter-fastening inside of the store, opening into the space or room between the gates. When the Indians wanted to trade, the inner gate was closed; a man would stand at the outer gate until all the Indians that wanted to trade, or as many as the space between the gate would contain, had passed in; then he would lock the outer gate, and go through the trading hole into the store. The Indians would then pass whatever articles each one had to trade through the hole to the trader, and he would throw out of the hole whatever the Indians wanted, to the value in trade of the article received. When the party were done trading, they were turned out and another party admitted. In that way of trading, the Indians were entirely at the mercy of the traders, for they were penned up in a room, and could all be killed through loop holes in the store without any danger to the traders."

Whatever natural advantages the location may have had, they were more than off-set by the hostile attitude of the Blackfeet, who were not to be enticed by any means to trade there. It was said they hated the Americans because Captain Lewis shot and killed one of their allies,—a Gros Ventre. Likely the Brit-

ish traders of the Saskatchewan, with whom they dealt, poisoned them against the St. Louis concern. This would accomplish a two-fold end,—drive their rivals from the field and secure to them the continued patronage of the powerful and independent Blackfeet nation. Consequently the Indians, incited to open hostilities, lay in ambush, harrassed and attacked the inmates of the little stronghold so persistently and relentlessly that they scarcely dared venture beyond its confines. One day Drouillard and two companions started out to hunt and when but a short distance away from the fort, were killed by the lurking enemy.

This feature of the enterprise,—a trading station with the Blackfeet,—was clearly a failure. Henry determined to abandon the fort but not until 20 members of the expedition and twice that number of Indians had been killed. Henry, with the survivors, crossed the mountains with great difficulty and suffering in the cold of winter, finally settling at Henry's fork of Snake river where he erected a post. The Indians were friendly and trading fairly successful, but game was scarce and it became impossible to hold his force together. Therefore in 1811 he set his face eastward with his cargo of beaver.

Meantime his protracted absence caused grave apprehension in St. Louis and while he was traveling down the river, Manuel Lisa was making all possible haste up stream to seek him. Among Lisa's party was H. M. Brackenridge, a young Pittsburg lawyer, who has given to the world a graphic account of the journey. Lisa met Henry, and assured of his safety, hurried west. It was on this trip that he had the memorable race with Wilson Price Hunt of the Pacific Fur Company which we shall now briefly consider.

Such an alluring field for the trappers as that made famous by Lewis and Clark and exploited by Lisa, could not long remain in the control of one concern. Scarcely had Lisa accomplished the formation of the Missouri Fur Company, than John Jacob Astor, already prominently identified with the fur trade, organized the Pacific Fur Company. The ar-

ticles of agreement were signed June 23rd, 1810. With the single exception of Wilson Price Hunt of New Jersey, all Astor's partners were ex-members of the North West Company.

Astor dispatched two expeditions west, one to travel by sea, the other to follow the trail of Lewis and Clark. The sea party, aboard the ship *Tonquin* was commanded by Captain Jonathan Thorn of the U. S. Navy, then on leave of absence. The overland party, led by Hunt, comprised among others, Donald McKenzie, Pierre Dorion, a clever half-breed interpreter and Nuttall and Bradbury the well-known scientists. Bradbury's Journal has since become an authority on the early west.

Lisa was jealous of the interlopers. Moreover, he felt he had first call on Dorion who owed him a whiskey debt.

Hunt feared the enmity of the sagacious and crafty Spaniard and used every effort to beat him to the Sioux and Arikara settlements lest he might incite the Indians to hostilities. Lisa, equally anxious to overtake Hunt, spared no pains, and finally caught up with him on June 2nd, as they entered the dreaded Sioux territory. From this meeting until the Arikara villages near the junction of the Grand and Missouri rivers were reached, the two rival parties traveled together. It had been the intention of Hunt to follow the route of Lewis and Clark to the sources of the Missouri thence down the Columbia, but rumors of the savage onslaughts of the Blackfeet changed his plans. He and his men directed their course southwest, through the boundaries of the Dakotas, across the southeast extremity of Montana, thence into Wyoming and south to the Wind river. They followed Snake river to Henry's post, then down the Columbia to the point where the sea party had established "Astoria." Hunt was the first white man to travel the route which afterwards became the "Oregon Trail."

The disasters befalling the *Tonquin* and those aboard, and the varying fortunes of "Astoria" are familiar to all students and form no part of the present narrative.

To return to Manuel Lisa and the Missouri

Fur Company. Fate had been against them. Their posts among the Mandans and Arikaras had failed. Their establishment among the Sioux had burned causing the loss of \$15,000. The war of 1812 finally caused the dissolution of the company. For the next six years Manuel Lisa, operating under the name of "Manuel Lisa & Company," was the only trader of consequence on the Missouri.

In 1819 the original Missouri Fur Company was reorganized but of the first partners we find only the name of Lisa. All the rest were new men. He was not destined to survive long. He died at his home in St. Louis, August 12, 1820.

With his passing a picturesque and notable figure was removed from the drama of the west. Lisa was born of Spanish parents, in New Orleans, September 8, 1772, and while still young moved to St. Louis where he began his career as trader, first under the Spanish régime, then under American authority. Probably next to John Jacob Astor no one man ever so completely dominated the fur-trade. He has been called the "Cortez of the Rocky Mountains." He was a man of equivocal character, combining with true greatness much that was petty, brutal, and base. He did not hesitate to stoop to liquor traffic among the Indians and his treatment of Mitain, his Osage wife, is one of the most cruel incidents in the annals of the time. He was thrice married.

After the tremendous creative energy of Lisa was gone the company soon passed out of existence but not without encountering a train of disasters equal to those of the first parties sent up the Missouri.

This was, indeed, just the time of the revival of the fur trade. In the spring of 1823 Jones and Immel started out on the old, vain quest of establishing friendly relations with the Blackfeet and securing their trade. They arrived at the ill-starred site of Henry's post at the Three Forks of the Missouri and remained until the middle of May. Discouraged at not meeting any Indians, they decided to return to the Yellowstone. On the 17th of May, while pursuing Jefferson fork they fell

in with 38 Blackfeet. One of the Indians showed the leaders a note headed "Mountain Park, 1823," and at the bottom was "1820." It introduced the individual who bore it as a head chief of the tribe, friendly to the white men and the owner of many furs. It also bore the words "God save the King!"

The Indians appeared kindly disposed, listened with seeming favor to a proposal to establish a post at the Great Falls of the Missouri and remained over night. Immel and Jones feared foul play. Next day they got their men together and fled to the Yellowstone.

Meantime the Blackfeet, reinforced to about four hundred, forged ahead directly in the route of the traders. On the last of May, 1823, the doomed party numbering 29, passed into a steep and narrow defile. The Indians remained in hiding until the last rider entered the pass, when they rushed furiously upon them from every rock and bush. Major O'Fallon wrote thus of the tragedy:

Fort Atkinson, July 3, 1823.

"Dear Sir:—How painful for me to tell, and you to hear, of the barbarity of the Indians. \* \* \*

"The defeat of General Ashley by the A'Ricarees, and departure of the troops to his relief, had scarcely gone to you when an express arrived announcing the defeat by the Blackfoot Indians, near the Yellowstone river, of the Missouri Fur Company's Yellowstone or mountain expedition, commanded by Messrs. Jones and Immell, both of whom, with five of the men, are among the slain. All of their property, to the amount of \$15,000, fell into the hands of the enemy. \* \* \*

"The express goes on to state, 'that many circumstances (of which I will be apprised in a few days) have transpired to induce the belief that the British traders (Hudson's Bay Company) are exciting the Indians against us, either to drive us from that quarter, or reap, with the Indians, the fruits of our labor.'

"They furnish them with the instruments of hell and a passport to heaven—the instruments of death and a passport to our bosoms.

"Immell had great experience of the Indian character, but, poor fellow, with a British pass-

port, at last they deceived him, and he fell a victim to his own credulity, and his scalp, with those of his murdered comrades, is now bleeding on its way to some of the Hudson establishments. \* \* \*

"I am at this moment interrupted by the arrival of an express from the military expedition, with a letter from Dr. Pilcher, whom you know is at the head of the Missouri Fur Company on this river, in which he says, 'I have but a moment to write. I met an express from the Mandans, bringing me the very unpleasant news—the flower of my business is gone. My mountaineers have been defeated, and the chiefs of the party both slain; the party were attacked by three or four hundred Blackfeet Indians, in a position on the Yellowstone river where nothing but defeat could be expected. Jones and Immell and five men were killed. The former, it is said, fought most desperately. Jones killed two Indians, and in drawing his pistol to kill a third, he received two spears in his breast. Immell was in front; he killed one Indian and was cut to pieces. I think we lose at least \$15,000. I will write you more fully between this and the Sioux.

"Jones was a gentleman of cleverness. He was for several years a resident of St. Louis, where he has numerous friends to deplore his loss. Immell has been a long time on this river, first an officer in the United States army, since an Indian trader of some distinction; in some respects he was an extraordinary man; he was brave, uncommonly large, and of great muscular strength; when timely apprised of his danger, a host within himself. The express left the military expedition on the first instant, when all was well. With great respect, your most obedient servant,

"Ben O'Fallon,<sup>1</sup>

"U. S. Agent for Indian Affairs.

"General William Clark,

Supt. Indian Affairs, St. Louis."

<sup>1</sup> Major Benjamin O'Fallon was a type of the best American manhood. He was a son of Dr. James O'Fallon and Frances Clark, sister of William Clark. He is described thus:



This was the crowning catastrophe. The Missouri Fur Company which had been the most important of the St. Louis firms for 25 years passed out of existence in 1830.

With the revival of the fur trade after the War of 1812, Gen. William Ashley of St. Louis founded the Rocky Mountain Fur Company. He was a man of prominence and force. Ashley was a native of Powhatan county, Virginia, where he was born in 1778. He removed to St. Louis in 1802 and that city continued to be his home as long as he lived. Associated with Ashley in this enterprise were Major Andrew Henry, one of the partners of the original Missouri Fur Company, Jedediah S. Smith, William Sublette, Milton Sublette, David E. Jackson, Robert Campbell, James Bridger, Etienne Provost and others, nearly all of whom were destined to become famous in western history.

Ashley had already enjoyed 20 years varied experiences on the frontier and was well able to conduct an enterprise of magnitude. The first expedition of the Rocky Mountain Fur Company left St. Louis on April 15, 1822, for the Three Forks of the Missouri,—that vantage point which none had yet been able to hold. On the way up the river one of the keelboats sank with \$10,000 worth of goods. The party persevered but above the Mandan villages, a band of Assiniboinés stole their horses. This loss prevented their reaching the Three Forks that season so they established the Ashley-Henry Fort near the confluence of the Yellowstone and the Missouri. General Ashley returned to St. Louis and left Henry in command of the post where he and his men wintered.

In the spring Henry resolutely started to meet the Blackfeet. Near the Great Falls of

the Missouri he was attacked by those implacable foes, four of his men were killed and he with the remainder of his party was driven away.

In 1823, Ashley fitted out a second expedition and leading it himself, started up the Missouri. He intended to purchase horses of the Aricaras and dispatch some of his force by land to the Yellowstone. The Aricaras, always fickle in their attitude towards the whites, at first seemed friendly but before dawn on June 2nd, they attacked Ashley's force. Twelve of the white men were killed outright and fourteen wounded. The survivors escaped to some sheltering timber. They were in imminent peril,—a mere handful against a powerful tribe.

After the battle Ashley called for a volunteer to carry a dispatch to Henry asking that he come at once with reinforcements. Jedediah Smith, a mere stripling, offered to go. It was a mission fraught with terrible danger which even the strong hearted frontiersmen hesitated to undertake. He accomplished the desperate ride in safety, after many narrow escapes, reached Henry, who immediately started out and found Ashley's little force unharmed. The combined parties of Ashley and Henry now went to the mouth of White river where they built a fort and awaited the coming of troops to protect them on their journey through hostile territory.

They established a trading post at the mouth of the Big Horn river near the site of old Fort Manuel. Etienne Provost with a few men was ordered from this point southward to trap. On this journey in 1823 he discovered the South Pass.

The members of the Ashley-Henry party proved to be explorers as well as trappers, for not only did Provost discover the South Pass and thus open up the trapping districts of the Green river country, but Jim Bridger in his quest of furs, came upon the Great Salt lake. This is the first recorded instance of a white man having beheld that body of water, though it had been visited by the Piegiens, and many other tribes years before. Young Jede-

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"Benjamin O'Fallon was for many years an Indian Agent of the United States. He was an honest, courageous, and careful officer, who possessed great influence over the various tribes with whom he came in contact, and was of great service in aiding the government in many treaties. His memory is perpetuated in the West by O'Fallon's Bluff on the Platte River in Nebraska, and O'Fallon's Creek in Montana, near Glendive."

diah Smith, possessed of the spirit of adventure, pushed on to the Pacific, and was the first white man to cross the Sierra Nevada mountains.

The tremendously rich beaver country lying to the southwest which Provost, Henry, Smith and Bridger had discovered, changed the plans of Ashley and did much to alter the method of the fur trade. The isolated posts had not proved tenable. Therefore, Ashley and his confrères relied wholly upon a desultory trade which bound them to no one point of operations or vicinity. This was wonderfully profitable. As the trade of the company grew, it became necessary to chose some place for the following year, where trappers and traders could meet and do business. Thus the rendezvous, one of the most picturesque phases of western life, came into existence. Green river was for some time a favorite one and we read of it in the pages of many writers of the day. These vast encampments must have been a strange and interesting sight, and in their display of gaudy wares, and cunning bartering they were not unlike a huge and savage fair. The Indians came from far and near with their beaver and otter skins, pitched their tipis and camped. There were "free trappers,"—white men or mixed bloods, mostly Canadian French,—a licentious, and libertine breed. There were in sharp contrast shrewd, cool headed business men from the east,—the masters of the situation. The articles offered in trade were cheap cloth, beads, brass and other baubles to catch the fancy of the Indians but most seductive and enticing was whiskey which would clinch a bargain when all else failed. Gambling, carousal, riotous and illicit pasttimes filled the idle hours and the Indian had ample opportunity to acquire the vices of civilization in addition to his own. From the first the policy of the white man was to obtain articles of value in return for shoddy trinkets,—in other words, to cheat. Secondly, to gain his ends, he was willing to prostitute and debauch with liquor and lust, the people with whom he dealt.

The vices of the rendezvous were merely a

composite of those characteristic of this lawless life. So far as commerce was concerned they held a unique place and were a distinct advance over the old forts.

Ashley made his last trip to the west in 1826. He had amassed a fortune in the fur trade and henceforth he was to devote his energies to political preferment. Therefore, he sold his interest in the Rocky Mountain Fur Company to Jedediah Smith, David E. Jackson and William L. Sublette on the 18th of July, 1826.

Chittenden says:

"The brilliant success of General Ashley fairly dazed the staid authorities on the fur trade in St. Louis, and disturbed not a little of the equanimity of the great American Fur Company in New York. The correspondence of the traders at this time shows how completely Ashley had fired the minds of every one with visions of wealth no less real than if he had discovered mines of gold. And there was much reason for it. He had brought down in 1824 100 packs, in 1826 123 packs, in 1827 130 packs. If we add reasonable returns for the years 1823 and 1824, he must have brought in something like 500 packs of beaver, worth in St. Louis over a quarter of a million dollars."

The firm name of the Rocky Mountain Fur Company became Smith, Jackson and Sublette. During the years following the Rocky mountain fur trade degenerated into a shameful and unscrupulous struggle. The competition among the American companies became as infamous as that between the Hudson's Bay and North West companies had been or as that between the British and Americans. The Indian seems to have been the "goat" in most cases. The white men he trusted incited him to blind and unreasoning hostility against other white men (their rivals) of whom he knew nothing, and he afterwards reaped the red harvest of the alien races' vengeance.

The later history of this company, romantic and exciting thought it be, we must leave to other chroniclers, among the ablest of whom is Captain H. M. Chittenden. In his words:

"As a school of adventure the Rocky Mountain Fur Company had no parallel among the business concerns of the mountains. The campaign with the Aricaras, the adventures of Hig Glass, Mike Fink, and Etienne Provost, the wanderings of Jedediah S. Smith, the battle of Pierre's Hole, and innumerable other romantic incidents have made famous the career of this notable company. Some idea of the perils incurred in their numberless adventures may be judged from the loss of life among their employes. From 1822 to 1829 inclusive these losses amounted to 70 men, none of whom died natural deaths. The number who lost their lives in the later career of the company would certainly bring the total up to 100. The losses of property amounted probably to \$100,000.

"The cause of geographical knowledge owes a great deal to this company. The whole country around the sources of the Platte, Green, Yellowstone and Snake rivers and in the region around Great Salt lake was opened up by them. Their adventures gave names to the Sweetwater river, Independence Rock, Jackson Hole, and the tributaries of Green river and Great Salt lake. They were the first to descend Green river by boat, and likewise the first, after Colter, to enter the Yellowstone Wonderland. They were the first to travel from Great Salt lake southwesterly to southern California, the first to cross the Sierras and the deserts of Utah and Nevada between California and Great Salt lake, and the first so far as is known, to travel by land up the Pacific coast from San Francisco to the Columbia. They were indefatigable explorers and considering the fact that most of them made no records of what they did, the impress which they have left upon the geography of the west is surprisingly great."

The American Fur Company with which we have now to do, came into existence and was incorporated by an act of the New York Legislature on April 6, 1808. Chittenden aptly says "Mr. Astor was the company and the incorporation was merely a fiction intended to broaden and facilitate his operations."

The American Fur Company was a New York concern and was opposed and hated in St. Louis where its head and his lieutenants had long desired an opening. Not until the year 1822 did its Western Department begin operations with St. Louis as headquarters. A number of independent firms had entered the field and the American Fur Company wisely sought and obtained alliances with some of these. The one of greatest importance was that with Bernard Pratte & Company which firm included the Chouteaus. The field was by no means clear for the new company even after this consolidation was effected, for the Columbia Fur Company had already gained a formidable supremacy.\* The founder of the Columbia Fur Company was one Joseph Renville, a British trader. Associated with him was Kenneth McKenzie, an able man, who soon became president of the organization.

Again, Mr. Astor, backed by ample capital, pursued the policy of absorption; the big fish swallowed the smaller one and the Columbia Fur Company became one and the same as the American Fur Company. By this transaction Astor acquired not only valuable rights of trade but the services of men whose skill and daring form some of the most interesting chapters in the history of Montana and the West.

Kenneth McKenzie was placed in charge of the company's affairs. The transfer of the Columbia to the American Fur Company was effected simultaneously with Ashley's third phenomenal catch of beaver skins. The ambitious McKenzie wished to forge ahead at once into the heart of the wilderness but Pierre Chouteau and others wisely dissuaded him, advising that a post be first erected at the mouth of the Yellowstone.

In the summer of 1828 McKenzie and his party started up the Missouri. His immediate object was to build a fort at a point which would be a natural center of trade. In the month of September he sent a keel-boat ahead of the main party from the Mandan villages to establish permanent quarters. Probably James Kipp was the man chosen for this work. This



post first called "Fort Floyd" afterwards became generally known as Fort Union.<sup>2</sup>

McKenzie was indefatigable. He turned his attention to the hitherto unconquerable Blackfeet.

About this time a man named Burger or Berger, who spoke Piegan (the language of the Blackfeet) fell in with Fitzpatrick, Fontenelle and Robert Campbell. He stopped at Fort Union and in him McKenzie saw the opportunity to open negotiations with the Blackfeet. The story of the adventure of Burger and his party reads like romance. They set out from Fort Union with dog-sleds and traveled up the Missouri to the mouth of Marias river. They followed the stream to its confluence with Badger creek which they traversed to its headwaters. In all their journey not a single Indian had they seen when one night they camped at the source of Badger creek, disheartened at the prospect of utter failure. According to their custom they raised over their camp the Stars and Stripes "their only sentinel and protection except their dogs." As day dawned a war-party of Piegans rode past. The vindictive warrior "Ne-nas-ta-ko" or Chief Mountain, wished to attack them as they slept. Ach-saph-ak-kee "Pretty Woman" an old and tried member of the tribe said: "No let us receive them as friends. See the flag waving over them, a symbol of their peaceful intentions and their trust in the hospitable nature of the people whose country they are traversing; for if they sought war, they, a small band, would not thus carelessly expose their presence to any passing enemy. We must receive them as friends."

The war-party listened to the wise words of the old man and they approached the little camp as friends, not foes. Burger was de-

lighted. He spoke to them in their own tongue, knowledge of which he had acquired during his previous service with the Hudson's Bay Company. He told them of the object of his trip, of the long, vain search which had now ended happily for all concerned. He requested that he and his followers might be taken to the Piegans' village. The Indians were willing and conveyed the white men to their winter encampment on Sun river where they remained until spring.

Burger then invited the chiefs and warriors to return with him to Fort Union. One hundred consented.

There was great rejoicing at the post when Burger and his party came back with that goodly cavalcade. Kenneth McKenzie made the most of the opportunity. He told them of the obvious advantages to them of a trading center in their own country which he was willing to build. When, finally, the hundred chiefs and warriors took their departure it was in a spirit of friendliness. The council had ended to the satisfaction of all and for the time, at least, there was amity and good will.

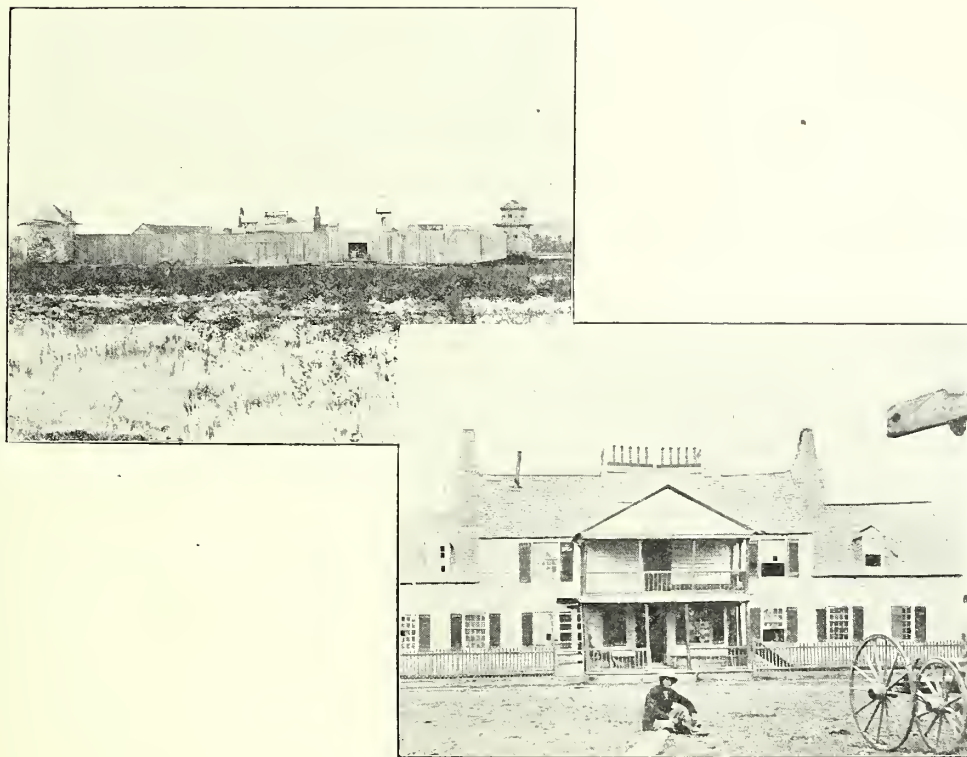
During the summer of 1831 McKenzie effected the signing of a formal treaty of peace between the Blackfeet and the Assiniboinés, a document more remarkable for its rhetoric than its pacific results.

McKenzie lost no time in following this advantage. He at once sent James Kipp, in command of twenty-five men, in a keel-boat loaded with stores up the Missouri river. They left Fort Union during the autumn of 1831. Kipp chose a wedge of land between the Marias and the Missouri rivers for his post, which he called Fort Piegan in honor of that branch of the Blackfeet nation.

The fort was quickly built and it marked a memorable advance in the territory covered by the American fur trade. McKenzie stated that within ten days after the post was opened Kipp received in trade the almost unbelievable number of two thousand four hundred beaver skins.

The Piegans appear to have been always friendly to the Americans, but the Bloods, who traded with the British, were hostile.

<sup>2</sup> There exists some confusion concerning Fort Union. This first post built by order of McKenzie in 1828 was called Fort Floyd. Fort Union, a second post erected later, was situated about two hundred miles farther up the river. Not long after completion the original Fort Union was abandoned and the name (probably signifying a union of Indian trails and consequently a center of commerce) was applied to the fort at the mouth of the Yellowstone.



FORT UNION.

The favor with which the Americans had been received, the dangerous competition that an American post in Blackfeet territory would entail, aroused the alarm of the British, who, it was believed, urged the Bloods to an attack on Fort Piegan. Kipp had been warned. Well fortified and with ample supplies he withstood the siege until the Indians retired, discouraged.

In the spring of 1832 Kipp was compelled to take his stock of furs to Fort Union. Many of his employes refused to remain without him. The post was isolated and in a wild and savage-trodden land. Therefore on March 15th he loaded his keel-boat, abandoned the fort and dropped down the river with all save three of his men.

Among these three were Sandoval, or Sanderderville, a Spaniard of whom we shall hear again. He, like his two companions, had taken an Indian wife, was unafraid and in a sense still represented the American Fur Company, for Kipp left tobacco and ammunition with instructions to continue friendly intercourse with the Indians, so they would not feel that the Americans had deserted them.

McKenzie was more than gratified with the results of the venture. The Piegans were the great trappers of the Blackfeet nation, and, although they had formerly caught only enough pelts for their own use, they now used their utmost skill to supply the demand of the traders. No white man would they permit to trap in their country, but they were willing to trap for the white man.

With this rich harvest, as the result of one winter, McKenzie lost no time in re-opening the post. For this mission he selected David D. Mitchell. The party, under Mitchell, set out in 1832 for the mouth of the Marias, but before the Musselshell was reached the keel-boat was wrecked, two men were drowned, and the costly cargo of supplies and articles of trade for the Indians was lost. Mitchell sent an express back to Fort Union to report the disaster to McKenzie, who at once dispatched a second boat laden with supplies.

This wreck was not the only hindrance.

When Mitchell arrived where Fort Piegan had stood, he found only its charred ruins and ashes. It had probably been burned by the Bloods. A few miles above the mouth of the Marias, "about five miles below the narrow ridge separating the Teton and the Missouri, called by the French *voyageurs* '*Cracon du Nez*,' a little below a cluster of small islands, where across the stream bold bluffs arise from the water's edge," Mitchell built his post, which he named Fort McKenzie, in honor of Kenneth McKenzie. It was a miniature fortress, designed to withstand armed attack, and is described as having been "about 200 feet square, built of logs." It faced the river and had two bastions. This settlement was destined to prosper.

The American Fur Company was now firmly established in the upper Missouri country. It had three principal "bases of operation," Fort Union, near the junction of the Yellowstone and the Missouri; Fort McKenzie, in the Blackfoot territory near the mouth of the Marias, and Fort Cass, at the confluence of the Big Horn and the Yellowstone.

All of this had been achieved in five years through the indomitable will and great ability of Kenneth McKenzie. He had conquered new and hitherto unconquerable fields, had succeeded where others had failed, and had made his company foremost in the northwestern trade. To him, also, we owe a tremendous innovation in the upper Missouri traffic,—the steamboat. The cumbersome keel-boats used up to this time were, at best, slow and awkward. McKenzie, who had conceived the idea of steamboat navigation of the river, reached St. Louis on August 5, 1830. He laid his plans before the company. Most of the prominent business men doubted if the experiment would prove practicable. It was finally decided worth trying, and accordingly a steamboat was constructed for this purpose in Louisville, Kentucky, and christened the "Yellowstone."

The "Yellowstone" started on her maiden voyage from St. Louis on April 16, 1831. Pierre Chouteau, Jr., was aboard to personally



test the possibilities of steamboat navigation, and to inspect the company's posts. Fort Tecumseh was the farthest point reached that year.

The voyage of the "Yellowstone" in 1832 is memorable in the annals of the West. Pierre Chouteau, Jr., was again aboard and George Catlin, the celebrated artist and student, was a passenger. The steamboat started on this second trip on March 26, 1832. Fort Tecumseh was reached on the 31st of May. The party stayed there six days in order to build a new post, which was called Fort Pierre, in honor of Pierre Chouteau. Leaving Fort Pierre on June 5th, the "Yellowstone" proceeded to Fort Union, a voyage which at that time was a veritable triumph in navigation. Not only did the partners in the company and the people of the United States regard this achievement with interest, but Europe as well heralded the new epoch in western transportation. John Jacob Astor wrote to Chouteau from France:

"Your voyage in the 'Yellowstone' attracted much attention in Europe, and has been noted in all the papers here."

So far all was well with the American Fur Company, but its complacent monopoly was soon to receive a severe blow. A train of minor misfortunes led to the crisis which threatened the dissolution of the organization. Competition arose, first in the person of Narcisse Leclerc, formerly connected with the company. The chief bait used by the trader to catch the Indian was whiskey,—particularly vile, adulterated and murder-breeding whiskey,—which turned peaceable Indians into madmen and produced that horrible saturnalia which stained the West with innocent blood.

This deplorable state of affairs, having come to the notice of the government, on July 9, 1832 Congress passed an act prohibiting the use of alcohol as a medium of trade with the Indians. Nevertheless, General William Clark, Superintendent of Indian Affairs, permitted Leclerc to export from St. Louis for this illicit purpose, two hundred and fifty gallons of alcohol, he at the time of Leclerc's departure not having been officially notified of

the act. He likewise granted Chouteau, for the American Fur Company, the privilege of shipping one thousand four hundred gallons of liquor, which was confiscated at Leavenworth. The apprehension and illegal imprisonment of Leclerc for importing "arduous spirits" into Indian territory, by Cabanne the American Fur Company's agent, and the disastrous and disgraceful sequence of events are a melancholy story. The gist of the matter was this: the Indian trade hinged on one issue,—whiskey. No thought of actual compensation for values received entered into the computations of the traders. The sole idea was to prey upon savage weakness and reap the benefit. Therefore, whiskey they must have, law or no law, by fair means or foul.

Sublette and Campbell, supported by General Ashley, loomed formidably on the horizon in 1832 and 1833. This, of course, occasioned keener competition than before, but it merely whetted the ambition and taxed the ingenuity of Kenneth McKenzie. On August 24, 1833, Nathaniel J. Wyeth joined the party of Milton Sublette. The opposition chose a site contemptuously near Fort Union and there established a post called Fort William for William Sublette. They had in their possession after the manner of the time, "abundance of alcohol and wines highly charged with spirits." On a trading expedition to the Crows, the representatives of the new company were robbed of practically all the possessions they carried, including their horses.

Meantime, McKenzie gave his employees *carte blanche*,—that is, they were permitted to pay any sum for furs regardless of their worth, in order to kill the trade of their rivals; in addition they were to furnish the Indians sufficient liquor to lure them to the fort. The expenditure was considerable and profits were utterly lost. However, the company was rich and the "freeze-out" game was worth the candle. Ethics were, of course, outside the question.

Fort William and its founders did not prosper. Their capital was limited; so was their whiskey. The Indians went to the post where

"fire-water" flowed and prices were high. McKenzie had won. He would listen to no overtures from his competitors who wished to sell out. But the officials of the American Fur Company at St. Louis were alarmed and without McKenzie's knowledge entered into an agreement with Sublette which ended the operations of the latter on the upper Missouri.

The rival concern out of the way for the present, at least, McKenzie's chief concern was to secure alcoholic spirits, without which, he averred, he could not do business. He accordingly went to Washington and New York to see if it were possible to gain some concession, but without avail. He then resorted to the desperate measure which proved to be his ruin. If he could not import liquor he would make it. This he did with the consent of the firm, save Ramsey Crooks of New York, who declared: "I would, hard as it is, rather abandon the trade, than violate the statute."

A still was purchased, taken up the river on the steamers "Yellowstone" and "Assiniboine," corn secured, and soon a very seductive product was made and distributed to the Indians.

All went well with McKenzie until, on August 24, 1833, there arrived at Fort Union, "that irrepressible Yankee adventurer," Nathaniel J. Wyeth, in company with Captain Bonneville's right-hand man, M. S. Cerré. In a burst of unaccountable confidence for one so shrewd (unless he had partaken too liberally of his own product) McKenzie fed his guests with cheese and spirits, and even showed them his secret still. The gentlemen liked the liquor and wished to buy it, but McKenzie refused to sell. Moreover, he charged them exorbitantly for some supplies which they were forced to buy, and they, chagrined, reported him to the authorities at Leavenworth. The officials at St. Louis, according to their own story, were blissfully ignorant of this infringement of the law. They knew that McKenzie had experimented "with wild pears and berries," believing they could be made into wine, but it was an avocation,—a hobby of his own,—not a

business nor in any way connected with the company's affairs. McKenzie was ordered to dispose of the still, at once, Crooks wisely warning him that any further pleas that the distillery was "only intended to promote the cause of botany" would not be tolerated. Senator Benton, the company's political representative, succeeded in averting its actual dissolution, but McKenzie's day was done. He left Fort Union in 1834 and went abroad.

Whatever may have been his transgressions he was a remarkable man. He was a dictator, a despot, "the king of the Upper Missouri." James Stuart has written of him: "Kenneth McKenzie, after Lewis and Clark, was the pioneer of the Upper Missouri." He was born in Rosshire, Inverness, Scotland, in 1801. He came to America in his youth and served in the British fur companies. The spirit of adventure which fired so many Scotchmen, was in his blood. He was a relative of that celebrated Alexander McKenzie, who was the first white man to cross the continent north of the Spanish possessions. In 1827 he joined the American Fur Company, his connection with which proved so memorable. He founded Fort Union, the first permanent establishment on the Upper Missouri, and extended the fur trade past all former bounds. He was an autocrat and his extermination of the desperado brothers, DeChamp, by shells and fire, during which their old mother was shot down while pleading for mercy, was an act of surpassing cruelty and horror. "He affected a kind of state," we are told, and preserved an austere isolation from the common herd. Something of an idea of the awe in which he was held may be gained from this little description by the trader, Charles Larpenteur:

"Imagine my surprise, on entering Mr. Campbell's room, to find myself in the presence of Mr. McKenzie, who was at that time considered the king of the Missouri; and, from the style in which he was dressed, I really thought he was a king."

He was married to an Indian woman and his son Owen by this marriage was killed in a personal difficulty by Major Malcom Clarke.

After he left the fur trade he went into the wholesale liquor business, which seems to have been a congenial occupation. He married again and died at St. Louis, April 26, 1861.

In 1834 John Jacob Astor retired from the American Fur Company. This was indeed a radical change. The western branch of that powerful concern passed into the hands of Pratte, Chouteau & Co. The fur trade was clearly on the wane. Not only the principal companies we have considered, and lesser ones which we have not, but private individuals such as Captain Bonneville, James Bridger and Nathaniel J. Wyeth, scoured the land for beaver, ransacked every stream and meadow and hunted them out from their remotest retreats; and the Indians, in an inordinate desire to obtain whiskey and satisfy a growing demand from a lessening supply, trapped them in their breeding season. Moreover, the price had depreciated. John Jacob Astor was a wise man, and he saw the signs of the times.

Various companies now sprang into existence, but with their varying fortunes and brief careers we have nothing to do.

David D. Mitchell, first a clerk, afterwards a partner, succeeded McKenzie at Fort Union. He took charge in 1836 and remained until 1839, when he resigned. He was a prudent, just and careful man and commanded the respect of those under his control.

In 1833, a new figure appeared on the scene, one Alexander Culbertson, who for the next thirty years was a dominant power on the Upper Missouri. He was a passenger on board the *Assiniboine* on her first voyage, and with him was Prince Maximilian,—and McKenzie with his ill-fated still. He had been employed by the company and was assigned to duty at Fort McKenzie, whither he repaired with David Mitchell about the 10th of August.

The fur trade continued to be fairly good and in the spring of 1834 Mitchell left for Fort Union with "twenty packs, or two thousand pounds of beaver and two hundred packs of buffalo robes."

Mitchell, who had served the company faithfully, determined not to return. He journeyed back to the United States. Pratte, Chouteau & Co. were unwilling to dispense with his services. He was offered a partnership in the house and in consideration thereof he returned to Fort McKenzie in 1836, after an absence of two years. He remained at this post until spring, then removed to Fort Union, where he directed the company's affairs until 1839. Mitchell would stay no longer. He went back to St. Louis and when the Mexican war broke out he was made lieutenant colonel of Doniphan's Regiment of Missourians. He distinguished himself in the many battles of that famous command, and participated in the capture of Sacramento. President Taylor appointed him superintendent of Indian Affairs for "the whole region drained by the Missouri and its tributaries." Mitchell was born in Louisa county, Virginia, July 31, 1806, and died at St. Louis, May 31, 1861. He was married to an Indian woman, by whom he had several children.

When Mitchell departed from Fort McKenzie in April, 1834, Major Alexander Culbertson, in command of twenty men, was left in control of the little stronghold. His ability was put to the test almost immediately. One day three Blood braves and one woman appeared at the post announcing that they were on a horse-stealing expedition against the Crows. Culbertson dissuaded them. They promised to return home and on their way stopped to rest at *Cracon du Nez*, a distance of several miles from Fort McKenzie. A war party of thirty well-mounted Crows dashed upon them, killing two of the men, wounding the third and capturing the woman. The wounded Blood performed "a feat of arms worthy of Richard *Coeur de Lion* in his best days." With a well-aimed blow of his gun he knocked a Crow warrior from his horse, leaped on its back, grasped a lance of the enemy and was off like the wind! He took refuge at the post. A few days after this occurred, Major Culbertson fancied he saw a figure in the bushes near by. It proved to be the captured



squaw, who was a sister of the sole surviving Blood warrior. She had escaped from her captors, entirely naked, and had made her solitary way many miles across the wilderness. Lacerated by prickly pear, starving and famished she reached the fort in time to give the alarm that the Crows were rising.

Preparations for a siege were at once begun. The three-pound cannon in each bastion was made ready and save for a shortness of provisions the post was ready for attack.

The Crows had already driven off thirty head of horses, which left the little force without means of hunting game at any distance.

In June a large party of the Indians arrived, demanded and were refused admittance. Major Culbertson requested the return of the stock. He then ordered the escaped Blood woman to "appear above the stockade," a dramatic incident, which dumfounded the attacking party, who believed her to be dead. The Indians made no move, they simply surrounded the post, watched and waited. The supply of fresh meat was consumed, then the reserve of dry meat; the dogs were next killed and eaten. Finally, pieces of raw buffalo hide were boiled into a repulsive glutinous mass.

Major Culbertson, who would allow no act of hostility on the part of his men, was threatened with mutiny. There was at that time at the fort one of the most lawless and cold-blooded desperadoes of his time, Alexander Harvey. He headed the little force and demanded permission to fire. Culbertson was only twenty-five, but he remained firm and with compelling authority refused Harvey's request.

After ten days Culbertson delivered an ultimatum to the Crows to the effect that if they did not disperse by noon he would "hurl thunderbolts" among them. This was, perhaps, undue dignity to give to the little three-pounder cannon. However that may be, at twelve sharp, it was aimed at the enemy and a shot crashed among their ranks. There was a sudden scattering, the Crows fled and molested the white men no more.

Inter-tribal warfare raged fierce and furi-

ous. The Crows and the Gros Ventres; the Gros Ventres against the Crees and Northern Assiniboines; the Crows and Piegiens, all fought in the vicinity of Fort McKenzie.

In the spring of 1839 Major Culbertson visited St. Louis and in reward for his able services was made a partner in the company. In the autumn of the same year he returned, accompanied by Malcom Clarke,<sup>3</sup> then a mere youth, who afterwards became one of the most notable men of Montana, and whose tragic end caused the bloody Piegan war.

Malcom Clarke was born of distinguished parents on July 22, 1817, at Fort Wayne, Indiana, where his father, Lieutenant Nathan Clarke, was then stationed. He is described as "a loving, affectionate boy, full of chivalry and true nobility." He attended a classical school at Cincinnati and at the early age of seventeen entered West Point. He was soon placed in command of a company. Clarke's promising career as a soldier was cut short by a boyish quarrel. He challenged his adversary who, instead of accepting or refusing, turned the communication over to the faculty. Next morning Clarke thrashed him in the presence of the assembled students. He was court-martialed, dismissed from the academy and thus the entire trend of his life was changed. His later years, after he accompanied Major Culbertson up the Missouri, form a part of our story.

Buffalo robes were now fast coming into ascendancy as the fur most in demand by traders, and the hunting of those animals became no less indefatigably pursued than the trapping of beaver had been formerly.

In 1838 in spite of the terrible smallpox scourge brought to the Indian country by the steamer *Trapper*, under command of Captain Barnard Pratt, which wreaked hideous desolation everywhere, the stock of buffalo robes obtained numbered ten thousand.

In January, 1840, Major Culbertson left Harvey in charge of Fort McKenzie and proceeded to Fort Union with one hundred horses

<sup>3</sup> Miss Helen P. Clarke states that her father came west in 1841.

to trade. He had underestimated the demand, so he ordered Sandoval with eight companions back to Fort McKenzie with instructions to Harvey to collect and send by Sandoval all the horses possible. In March, Sandoval reached Fort Union with fifty ponies and "news of another homicide at Fort McKenzie." Potts, an employe of the company, had been killed by a Piegan.

In the month of May, Harvey arrived at Fort Union in charge of the year's accumulation of furs. Sandoval had waited to return to Fort McKenzie with him. After the keelboat had received its cargo of goods Harvey was about to set out on his journey back; he and Sandoval got into a quarrel in the company's store. "Harvey was standing behind the counter and Sandoval upon the opposite side," when, as the latter turned his face toward Harvey, Harvey drew a pistol from his pocket and shot him in the center of the forehead. Sandoval lingered twenty-four hours and died." His descendants, Oliver and Richard Sandoval (or Sanderville, as they spell the name), are now living on the Blackfoot reservation, where they are respected citizens.

The murderer went unpunished. He returned unmolested with the year's supplies to Fort McKenzie. Culbertson remained at Fort Union until November, and when he reached Fort McKenzie he discovered that Harvey "as if infatuated with a relish for blood," had been implicated in another killing.

In 1841 Major Culbertson took to Fort Union twenty-one hundred packs of buffalo hides and four packs of beaver. Because he was a man of surpassing ability, through whose good sense and fair dealing the trade of the Indians had grown and prospered, he was now ordered to Fort Laramie, to revive its declining fortunes. He protested in vain. His place at Fort McKenzie was taken by the unscrupulous cut-throat, F. A. Chardon, to whom Harvey, the desperado, was dictator. The result of their murderous policy is given as follows by Lieutenant Bradley:

"In January, 1842, a war party of twenty-odd Blackfeet passing by the fort requested

admittance, but the gates were closed against them. Incensed at the treatment, as they moved off they killed a pig belonging to the fort. Harvey counselled retaliation for the act, and Chardon and himself with half a dozen men set out in pursuit of the Indians, who, discovering that they were followed, awaited in ambush in the Teton valley. As the party approached, Reese, a negro who was in the advance, crept to the brow of the bluffs to reconnoitre, and received a shot in the forehead, which was instantly fatal. The remainder of the party, intimidated by this event from further pursuit, returned with the body of Reese to the fort, Chardon and Harvey vowing a bloody revenge. Major Culbertson's policy of good-will toward the Indians had taken root so deeply in the popular sentiment at the fort that Chardon and Harvey feared to make their murderous designs generally known, and therefore admitted only some half dozen to a participation in their plans. The cannon commanding the approach of the main gate was secretly loaded, being charged with about one hundred and fifty half-ounce lead bullets, while in lieu of the match ordinarily employed, and which might at the decisive moment attract attention and overthrow their plans, Harvey's pistol was to be charged with powder and fired into the vent. Circumstances were to determine the remaining dispositions; and thus prepared, Chardon and Harvey awaited the arrival of some unsuspecting trading party of Blackfeet. Such arrivals were too frequent, thanks to the thriving trade, to permit of long waiting on the part of the conspirators. A numerous band of Blackfeet, warriors and squaws, soon arrived at the fort with a quantity of robes to trade. The three chiefs were admitted without hesitation, while the rest were directed to gather at the gate, which they were told would be opened as soon as they were all assembled. Without a suspicion of the black treachery meditated against them, a laughing crowd of warriors and squaws with their bundles and peltries was soon gathered at the gate awaiting admittance. Harvey, from his station in the bastion by the side of

the cannon, pistol in hand, watched through the port-hole the dense crowd assembling below; until satisfied with the number of his contemplated victims, he discharged his pistol in the vent. A sudden roar and the storm of bullets is hurled into the unsuspecting throng. With a wail of terror, mingled with some notes of agony from the wounded, the crowd disperses in flight. Twenty-one corpses strew the ground, while some dozen or more are staggering away with severe wounds. In an instant the gates are flung open and several of the garrison rush forth in pursuit. Several of the wounded are overtaken and despatched, but fleeing with the wings that terror gives, the remainder make good their escape. Three of the conspirators had been selected to despatch the three chiefs at the discharge of the cannon, but when its thunder startled them, followed by the cries outside, they comprehended the villainy that was being perpetrated, and scaled the walls and leaped the pickets with such celerity that the would-be assassins had no time to perform the task allotted to them.

"Once outside they mounted their horses and escaped. All the peltries and many of the horses of the Blackfeet were seized by the victors; but the most damnable part of the whole affair remains yet to be told. Removing the scalps of their thirty victims, they made night hideous with the cries and howls of the Indian scalp dances! Can any white man read such a story without feeling the hot blush of shame, that there can be assembled a score of his race, calling themselves civilized, and yet capable of such an atrocity?

"War having been thus opened, Chardon prepared to abandon the post, a post that for ten years had been one of the most profitable maintained by the American Fur Company. A detachment was sent secretly to the mouth of the Judith, where on the north bank of the Missouri a stockade was hurriedly constructed, the utmost care being taken to avoid discovery by the Indians. In six weeks it was completed, and named after Chardon, Fort F. A. C. As soon as the river broke up, which was early after the completion of the new fort, Chardon

and Harvey loaded all the effects of their establishment into their boats and dropped down the river, leaving Fort McKenzie wrapped in flames.

"The *voyageurs* were afterward accustomed to speak of the place as Fort Brule, or Burnt Fort, and it is by this term still generally designated."<sup>4</sup>

The company saw its error too late, as those who dictate from afar are liable to do. Culbertson was urged to return to his old post. He replied by reminding his partners of his warnings. Culbertson firmly refusing, Chardon was ordered back to his beleaguered fort. "As for the goods," writes Lieutenant Bradley, "he might as well have spared himself the trouble of taking them, for the following winter not a particle of trade was carried on. Instead of the bustle of a prosperous business, the plenty and comfort of Major Culbertson's prudent management, an idle band shivered the winter away over insufficient fires and suffering the cravings of an almost constant hunger, because they dared not venture forth to make the provisions that nature demanded."

The firm in St. Louis, alarmed at the turn of affairs, determined to make another effort to induce Culbertson to return to Fort McKenzie. He was requested to meet Mr. Chouteau in New York, which he did. He explained that he had refused to go back to his old post simply because the company had wantonly created for itself a "turmoil of danger" which need never have been. Chouteau admitted the justice of his contention but urged that without his priceless services the trade was utterly ruined and the Blackfoot country must be abandoned. As a result of the interview Major Culbertson returned.

Culbertson, having speedily transferred his affairs at Fort Laramie to his successor, went to Fort Pierre. The keel-boat containing supplies had gone ahead up the river, and he, making all possible speed, overtook it at the

<sup>4</sup> Two different accounts of this massacre are given by James Stuart in his "Adventures on the Upper Missouri," Montana Historical Society Contribution, Vol. I, and Charles Larpenteur in his "Forty Years a Fur Trader on the Upper Missouri."



outlet of Poplar river. When the boat approached the mouth of Judith river, it was met by Harvey, who had come from Fort F. A. C. for the purpose. Malcom Clarke and Jim Lee were aboard and, as Harvey appeared, they fell upon him, seeking to administer that summary justice which his many crimes deserved. Through Major Culbertson's interference he escaped alive, but he fled under cover of the night down the river, to return in a new guise,—the company's enemy.

Major Culbertson had no use for Fort F. A. C. He at once abandoned it in favor of a site about five miles below Pablo's island, at the head of the first rapids above the present Fort Benton. There on the south side of the river, near a narrow arm jutting around a small island, he began the construction of his fort. This was done with the utmost precaution and secrecy, for the temper of the Indians being uncertain after the outrages they had suffered at the hands of Chardon and Harvey, he did not wish them to know of the new post until its occupants were ensconced within the stockade. No hunting was allowed and dog meat furnished one of the chief articles of food. The post, which was commenced near the first of September, was not ready for occupancy until about January 1st. It was named Fort Lewis, in honor of Captain Meriwether Lewis, leader of the Lewis and Clark expedition.

Major Culbertson seized the first opportunity to send word to the Blackfoot village on Belly river, that he wished the chiefs and warriors to come to a council at the fort.

The Blackfeet responded willingly. Major Culbertson went forward two hundred yards or more to meet them. He offered them the hospitality of the fort and they accepted. Culbertson then addressed them, deploring the massacre, explaining that the criminals who perpetrated it had been sent away, and he despatched hither by his chiefs to effect a reconciliation.

The Big Swan, a leading chief, answered Major Culbertson's address, directing his remarks principally to his own people. His

speech was virtually this: "If there are any present now who have lost friends in the massacre, you must now bury all animosity and take a good heart. From this time forward there must be no stealing of horses,—no killing of white men nor molestation of the fort, while the perpetrators remain away from it." He assured them that the "ground had been made good again by Major Culbertson's return, and the Blackfeet must not be the first to stain it with blood."

Presents were exchanged and the pipe of peace smoked in token of good-will.

Trade was at once restored. In the next four months eleven hundred packs of buffalo robes, quantities of beaver, wolf and fox pelts were obtained from the friendly Indians. In May Major Culbertson, now absolute master of the situation, took his rich reward to Fort Union and on the way he burned Fort F. A. C., an act which Chardon never forgave. The company at St. Louis was more than pleased, Culbertson was made agent of the Upper Missouri on what was then considered the munificent salary of five thousand dollars per year.

In the spring of 1845 Culbertson went to Fort Union with the further fruits of his trade. Chardon had perished the previous February of scurvy. Major Culbertson buried him at Fort Pierre and went on to St. Louis. He returned to Fort Lewis the first of the next December. Meantime Harvey, the desperado and murderer, had reappeared as a rival trader.

Harvey was despised by the Blackfeet. He could not gain their favor or their trade, therefore he struck at the company with which he had been connected. He informed the authorities that Pratte, Chouteau & Co. either sold or sanctioned the selling of whiskey. Accordingly the company was sued on its bond in 1844.

After the scandal of the distillery at Fort Union, there were still thirty barrels of liquor concealed there. In 1840 the alarm was given that a United States inspector was coming up the river. Major Culbertson, with the greatest secrecy, under cover of night, con-

veyed these barrels across the river, thence four miles distant to a lake, where he tried in vain to sink them. He finally *cached* them. The threatened inspection did not take place. Major Culbertson returned to his *cache*, only to find that the hoops had rusted, the barrels burst and the priceless liquor gone. Harvey knew of this and did not hesitate to use it. Ruin again threatened the company and again Thomas H. Benton, its political angel, "effected a compromise" which, upon their paying twelve thousand dollars, absolved them from further punishment. This ended the liquor traffic for the time, but as a similar restraining law went into effect among British competitors, the fortunes of Pratte, Chouteau & Co. did not suffer.

Aside from this one act of treachery, Harvey did little harm. In mortal terror of the Blackfeet, whom he had shamefully wronged, he feared to negotiate with them and had little or no trade. He died in 1853 and the fort which he had built near the *Cracon du Nez* was closed forever.

Fort Lewis did not prove to be a desirable location. The drift ice in the river during the spring and fall made it difficult for the Indians to cross with their furs. They requested that the post be moved to a spot near the Teton, where there was plenty of timber.

Accordingly, in the spring of 1846, after careful consideration, and search, Major Culbertson selected a site where he rebuilt Fort Lewis. Thus it was known until Christmas, 1850. Major Culbertson was ambitious for his new stronghold, and therefore he resolved to replace the log with adobe structures. The first of the adobe buildings was completed just before the holidays and on Christmas night a ball was given by the major to celebrate the consummation of his plans. During the merry-making Culbertson suggested,—and the suggestion was a command,—that the post be christened in honor of Thomas H. Benton, who had saved the company. The proposal met with favor and the head of navigation on the Missouri became Fort Benton, the name which it bears to this day.

The settlement thus founded was the most considerable and important of all those in Montana which grew out of the fur trade. There the steamers landed passengers who took their various ways to different parts of the new land, and there assembled the most prominent and picturesque characters of the period. Not until the sudden excitement of gold and those "stampedes" in which camps grew up over night like mushrooms, was Fort Benton's ascendancy overshadowed.

Major Culbertson was succeeded at Fort Benton by Andrew Dawson,<sup>5</sup> who completed the brick or adobe fortress which the former had designed. This work of replacing the frame buildings progressed slowly. Culbertson was away much of the time. The first of the new building was erected under the supervision of Malcom Clarke. Contemporary chroniclers say that the north bastion, commenced in 1855, was completed in 1856; the entire south bastion was erected in 1859, and the various buildings in the southern corner facing the river were completed in 1860. This was the last of the brick or adobe work at Fort Benton.

In 1864 a rival post, Fort Labarge, was built close to Fort Benton. It was owned by the firm of Labarge, Harkness & Jallard.

We must now pause in our narrative and turn back a few years. Culbertson had made good. The season of 1847 had proved wonderfully profitable. Lieutenant Bradley states: "Not only was the stock of goods completely exhausted, but even bedding, wearing apparel, everything that could be spared from the fort

<sup>5</sup> Major Andrew Dawson was born at Dalkeith, Scotland, on April 25, 1817. He was descended from a celebrated line of ancestors. He came to the United States in 1843. After spending a year or two in St. Louis he came west. For many years he lived at Fort Clark where he married Josette, a daughter of Pierre Garreau. In 1854 he moved to Fort Benton where he succeeded Major Culbertson. In 1864 he sailed for his native Scotland where he remained until his death in 1871. Major Dawson was married three times. He left three sons, James, Andrew and Thomas. James and Thomas are residents of Glacier Park, Montana.

was bartered for the incessant flow of peltries." The buffalo robes so obtained numbered more than twenty thousand, and there were, besides, many other furs. In 1848 he established three outposts. The first at Willow Round on the Marias river was in charge of one Hammel. The second, located on the same stream about thirty miles higher at a place called Flatwood, was in command of Malcom Clarke. The third, on Milk river, was presided over by Michael Champaigne. These outposts were abandoned in 1856. In the year of their found-

its founder, A. J. Tullock. In 1839, it, too, had fallen into disuse and in its place Charles Larpenteur built Fort Alexander, giving to it the Christian name of Alexander Culbertson.

For some years Robert Meldrum was in command of this post. He has been described as "one of the most remarkable men ever employed in the service of the American Fur Company."

Fort Alexander, in due time, was abandoned, as its predecessors had been. Major Culbertson and Meldrum, with a force of eighteen



RUINS OF OLD FORT BENTON.

ing, 1848, Culbertson went east. He was made agent of the company, "with the privilege of selecting his headquarters at any post desired." Although he spent most of his time traveling in the interests of his firm, he claimed Fort Benton as his home.

His duties were increased and extended over considerable territory. We shall now follow him to the Yellowstone and consider the early posts of that vicinity.

The company had never found it necessary to maintain more than one post at a time on the Yellowstone and its tributaries. The first of these was Fort Cass on the Big Horn, built about 1832, and deserted some time between 1835 and 1838. In the last named year Fort Van Buren was erected on the Rosebud. Fort Van Buren was also called Fort Tullock for

men and a mackinaw laden with merchandise, ascended the Yellowstone to establish still another post. The site chosen was at "a point on the north bank of the Yellowstone, about five miles below the mouth of the Rosebud river." The new fortification was christened Fort Sarpy, for one of the wealthy partners. This was the last post of the company on the Yellowstone. It survived until 1855, when it shared the fate of its predecessors. The chief reason for the abandonment of this rich territory was its hazardous location and the unwillingness of employes to serve there.

The step of withdrawing from the Yellowstone as a base of operations was not so radical as it seemed, for the Crows brought their furs to Fort Union.

Major Culbertson resigned from the com-



pany in 1861. He had enjoyed a remarkable career of activity. Born of Scotch-Irish parents at Chambersburg, Pennsylvania, in May, 1809, he entered the service of the American Fur Company in 1829. His great ability and tact in dealing with the Indians secured his steady advancement, and after the retirement of Kenneth McKenzie he became the leading figure of the company on the Upper Missouri.

He was a genial and popular man. He is described as having been "about six feet high, of strong presence, a keen eye and a frank and open countenance." He married an Indian woman of the Blackfoot nation, by whom he had several children. He remained true to her always and provided lavishly for her and their family. At the time of his retirement he was a wealthy man for the day, having amassed a fortune of three hundred thousand dollars. He died August 27, 1879, at Orleans, Missouri. No other agent was appointed to fill his place. Andrew Dawson remained in charge of Fort Benton until it was sold to Carroll and Steel in 1864.

From the Lewis and Clark expedition in 1805 and 1806 until 1820-1835, we have but meagre information concerning that which is now western Montana.

In 1847 the Hudson's Bay Company established a fort on Crow creek near the present site of St. Ignatius Mission on the Flathead Reservation. Angus McDonald, a distinguished employe of the company, was placed in charge. He became one of the noted characters of the country, married an Indian woman, and his children, Angus, Duncan and others, are prominent today in the adopted land of their father.

Fort Owen in the Bitter Root valley, so called from its founder, Major John Owen, was established in 1850. Major Owen, a sutler in the United States army, started from St. Joe, Missouri, with the "Mounted Rifles," who were ordered to Oregon. He proceeded with the command as far as Snake river, where they camped for the winter. In the spring of 1850 the troops took up their interrupted march, and Major Owen, having

determined to remain in the northwest, resigned his sutlership and spent the summer trading with the wagon-trains on their way to the Pacific coast. In the autumn of the same year he arrived in the Bitter Root valley and decided to settle there. He bought certain improvements of the missionary priests and founded Fort Owen. Hon. Frank H. Woody, an honored pioneer, writes:

"After Major Owen purchased the property since known as Fort Owen, he made many improvements. He enclosed the land and commenced farming—rebuilt the grist and saw-mills, and in after years tore down the old stockade of logs, and built a large and substantial fort of adobes, or sun-dried bricks. He opened and kept a regular trading establishment, supplying the wants of both whites and Indians. The stock of goods and supplies were kept up by making a trip each summer to The Dalles, in Oregon, with pack horses, usually going down in the spring to Clark's Fork and the Pend d'Oreille Lake, and returning the latter part of the summer by an Indian trail over the Coeur d'Alene mountains.

"Fort Owen was the nucleus around which the early settlers gathered, obtained supplies and sought protection in the hour of danger. It was known far and wide for the hospitality that its generous proprietor extended to the early settlers and adventurers in this distant—and at that time—almost unknown wilderness."

The Selish who inhabited the Bitter Root were always friendly to the whites, but the Blackfeet with whom they were perennially at war made raids upon the valley until 1855. The white settlers were also in danger from these war-parties and Fort Owen was threatened more than once. In the autumn of 1852 one John F. Dodson was killed and scalped by Blackfeet in view of the post.

During the beginnings of the fur trade there were solitary trappers, many of whom were French-Canadians or mixed bloods. As time passed bands of these independent traders or "free trappers," as they were generally called, composed of some of the most noted characters

of the West, traded itinerantly with the Indians or established posts of their own to the chagrin of the companies, who put every obstacle in their way. "In those days," writes W. T. Hamilton, "the cream of men in the mountains belonged to the free traders and trappers." In this class were Nathaniel J. Wyeth, Captain Bonneville, whom Washington Irving has immortalized; Jim Bridger, explorer, scout and hunter, discoverer (among white men) of the Great Salt lake and founder of Fort Bridger; Joseph Meek, whose story is told by Mrs. F. F. Victor in "The River of the West"; Bill Williams and W. T. Hamilton. The latter describes that thrilling life in his autobiography, "My Sixty Years on the Plains."

Besides these whose records are preserved there were many others whose names and deeds are forgotten. Scarcely a word has come down through the years of the daring pioneer trappers along the Yellowstone, of whom Bradley writes:

"\* \* \* Many a little band has been overcome and destroyed in their remote retreats, of whose fate the world has no record, while those who escaped did so only by a pathway of stirring incident and perilous adventure, unsurpassed in its power to captivate and enchain the attention of the reader. Unfortunately but little of these romantic experiences is preserved. They were narrated over and over again around the camp-fires of their enactors, but no one was by to catch the fascinating recital and transfer it to manuscript for the benefit of thousands of readers. \* \* \* One by one they have passed away, generally at the hands of the savage foe, and their story has gone with them. \* \* \* These adventurous men gradually disappeared with the fall in the value of beaver skins and the establishment of the posts on the Yellowstone, till in 1840 the class may be said to have become extinct."

The traffic in buffalo hides grew and prospered and finally degenerated into a debauching butchery. The paid hide-hunter wantonly

slaughtered until in the early '80s the mighty herds were no more.

About the same period came the reckless, renegade horde called "wolfers," who were, generally speaking, composed of the "scum of the earth." Their particular traffic was in wolf-pelts. Poisoned meat was set for a wolf and the animal thus killed left for bait. The cannibal pack descending upon the carrion, perished and the pelts were easily obtained. These pelts were light of weight, easy to transport and commanded good prices. The vagabond "wolfers," like the worst type of early trappers, and later "hide-hunters," caroused, led licentious lives, and created trouble with the Indians.

In closing this brief and necessarily superficial sketch of the fur trade we must pause and consider some of its more prominent phases. It was the means of kindling the first sparks of civilization,—however crude,—in the wilderness; it established overland traffic and opened the navigation of the Missouri; to Montana it gave her pioneer settlements, Lisa's Post, the fort of General Ashley and Andrew Henry; then Fort Union, Fort McKenzie, Fort Benton and the rest, the stories of which we have just read.

Finally, the hardy, brave and often rough men, who dared and did in that hard struggle for wealth, left behind them for our civilization the example of stern fortitude. Nearly all of the more prominent traders whom we have considered,—Manuel Lisa, Kenneth McKenzie, David Mitchell, Major Culbertson, Dawson and Malcom Clarke, married Indian women. Be it said to their credit that with but few exceptions,—Manuel Lisa presenting, perhaps, the most shameful of these,—the white husbands were faithful to their Indian wives, and the children of these marriages and the grandchildren live today on the ground that their fathers reclaimed from the wild. In western Montana we find the McDonalds, in the northern part of the state are the Kipps, the Dawsons, the Clarkes—Horace, Helen P. and Isabelle (Mrs. Thomas Dawson), children worthy of their gallant father. So the old

names live and the old deeds live with them, and the fame of the first strong men who blazed the way and made possible the com-

monwealth of today grows with the passing years, their sins forgotten, their achievements acknowledged and magnified.

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## CHAPTER IX

### INDIAN MISSIONS—MISSIONARIES AND THEIR INFLUENCE

Following close upon the footsteps of the adventurous *courcours des bois* or fur traders, came those heroic apostles of the Christian faith,—the missionaries.

As early as the seventeenth century a little band of French priests of the order of St. Ignatius journeyed from their native France, to Canadian territory with the purpose of spreading the word of God amongst the savages of that benighted land. One of them, Father Isaac Jogues, became the apostle of the Iroquois and died at their hands, a martyr. Strangely enough, his teachings lived after him and were preserved in a measure, at least, by those who had murdered him because of the message he brought.

Years afterwards, about 1815, a small party of Iroquois took their way from the Mission of Caughnawaga, in the neighborhood of Sault St. Louis, on the banks of the Saint Lawrence river, and proceeded, probably in quest of furs, into the little known and perilous ascents of the Rocky Mountains. This party was headed by one Ignace La Mousse, his given name being, by a curious coincidence, the same as that of the martyred disciple of the Gospel. He was a man of lordly stature and puissance indomitable. Upon their wanderings they came to *Spetlemen*, "the place of the Bitter Root," a mild, fair valley where dwelt a folk kindly in their natures, who called themselves the Selish. These people welcomed the Iroquois, made them at home in their lodges and shared with them the sports of the chase until the visiting Indians were visitors no more and claimed no other land than this.

From the lips of Old Ignace, as he was known, the Selish heard of a mysterious faith symbolized by a Cross, a greater medicine

than that of any of the tribes, and of pale-faced, sable-robed priests, who, in the olden time, taught that faith and died happily in the teaching.

The Selish practised a simple, spontaneous kind of paganism. They believed in a Good and Evil Spirit who were constantly at war. These two powers were symbolized by light and darkness and their heroic battle was pictured in the alternate triumph of day and night. If buffalo came in plenty, if elk and moose were slain and the season's yield were rich, then, according to their notion, the Good Spirit was in the ascendancy; but if, on the other hand, winter rode down from the mountains while their larder was low, if fish would not bite and game could not be caught, the influence of the Evil Spirit prevailed. They believed also, in a future existence, happy or miserable according to the merit or demerit of the soul during its mortal life. The worthy shade passed into eternal Summer time, to a land watered by fair streams and green with meadows; in these streams were countless fishes and in the meadows bands of wild horses and endless herds of the beloved buffalo. There the spirit, united with its family, would ride through all eternity, hunting amongst the ghostly flocks in the Summer sun of happy souls. But, those who had violated the tenets of the tribe, who had been liars, cowards or otherwise dishonorable, and those negative offenders, who had been lacking in love for their wives, husbands and children, had sealed for themselves a bitter fate. These outcasts went to an arctic region of everlasting snow where false fires were kindled to torment their frozen limbs with the mocking promise of warmth. Phantom streams offered

their parched lips drink, but as they hastened to the banks to quench their thirst, the elusive waters were ever farther and farther away. So ever and anon, through years that never seemed to die, the shades were doomed to hurry onward through the night and cold of Winter that knows no Spring, in misery as dark as the shadow engulfing them. The Lands of Good and Evil were separated by savage woods, inhabited by hungry wolves, lithe wild cats, and serpents coiled to strike. The wretched sinner, in his prison of ice, might after a period of penance, short or long, according to the measure of his offense, expiate his sins and join his brethren in the Happy Hunting Ground.<sup>1</sup>

Besides this general belief held in common by the tribe, they cherished countless myths such as those of the creation and many lesser, fanciful legends which formed a part of their religion.

Although these Indians were sincere in this simple, half-poetical mythology, they listened very willingly, like eager children, to Old Ignace, and from him learned to make the sacred sign and repeat the white man's prayer. After knowing something of their mysticism it is not surprising that the greater mysticism of the Catholic Church should appeal to them; that once having heard the story of a faith much in accord with many of their elementary, preconceived ideas, they should pursue it tirelessly until they gained that which they most desired.

Time upon time at the councils, the chiefs discussed a means of getting a Black Robe to come to them. At last, in a mighty assembly, Old Ignace arose and proposed that a delegation be sent to St. Louis to pray that an apostle of the church might come to shed the light of the new faith upon the darkness of the Western woods. A stir of approval ran through the attentive people, for it was a great and daring thing to think of. But who would go? The journey of about two thousand miles

lay over barriers of mountains, rushing torrents, virgin forests, where the sun never shone, and worst of all, penetrated the country of their hereditary enemies, the Sioux. In spite of these perils, in the breathless quiet of expectation that had hushed the tribe, four braves came forward and volunteered to undertake the quest. Of these, one was "Black Eagle," or "Speaking Eagle," a Nez Percé, who was already advanced in years. Another was the eloquent chief,—"No-Horns-on-his-Head."<sup>2</sup>

The knights of the olden days, who went forth sheathed in armour in goodly cavalades, to the land of the Saracen in search of the Holy Grail, have gathered about their memory the white light of heroism, but if their daring and that of these four were weighed impartially, the Indians would rise higher in the scale of glory. Alone, afoot, armed only with such weapons as their skill could contrive, they started out in the spring of 1831, and in spite of the death that lurked around them, reached their journey's end with the autumn.

Curiously enough, it happened that Gen. William Clark, "The Great Red-Head Chief," he who made the famous overland journey to the Pacific with Captain Lewis, was in command at St. Louis in the years 1831-32 when the Indian delegation arrived. On that memorable journey to the West, Lewis and Clark had been graciously received and materially aided by the Nez Percés and Selish tribes, therefore the general was kindly disposed toward these visitors and bestowed upon them every courtesy. Through him the four emissaries were conducted to the Catholic church. Monseigneur the Bishop Rosati, was absent—he whom they had traveled six moons to see. Very soon thereafter, two of the number fell ill as a result of exposure. In their sickness, doomed to die in a strange land, far from the

<sup>1</sup> See History of the Flathead Indians, by Major Peter Ronan, pp. 15-16.

<sup>2</sup> See "Indian and White in the Northwest," by L. B. Palladino, Chap. II, pp. 10-13. The Pathbreakers from River to Ocean, by G. R. Hebard, Chap. IV, p. 104. "Whitman's Ride Through Savage Lands," by O. W. Nixon, Chap. II, pp. 22-32.

pleasant glades of their native valley, they made the sign of the Cross and other feeble gestures which some priests who visited them interpreted rightly to be an appeal for baptism and the last rites of the church. The priests accordingly gave them the consolation they prayed for and placed in the hands of each a crucifix. So rigidly did they press these symbols to their breasts, that they retained them even in death. They died, christened Narcisse and Paul, and were buried in a Catholic cemetery in the city of St. Louis.

The following account of this pathetic incident was written on December 31, 1831,—scarcely two months after the death of the two Indians,—by the Right Reverend Joseph Rosati, the Great Black Robe, whom they had journeyed in vain to see. This communication, addressed to the editor of the *Annals of the Association of the Propagation of the Faith*, reads:

"Some three months ago four Indians who live across the Rocky Mountains near the Columbia river (Clark's Fork of the Columbia,) arrived at St. Louis. After visiting Gen. Clarke, who, in his celebrated travels, has visited their nations and has been treated well by them, they came to see our church and appeared to be exceedingly well pleased with it. Unfortunately, there was not one who understood their language. Some time afterwards two of them fell dangerously ill. I was then absent from St. Louis.

"Two of our priests visited them and the poor Indians seemed to be delighted with the visit. They made signs of the cross and other signs which appeared to have some relation to baptism. The sacrament was administered to them; they gave expressions of satisfaction. A little cross was presented to them. They took it with eagerness, kissed it repeatedly and it could be taken from them only after death. It was truly distressing that they could not be spoken to. Their remains were carried to the church, and their funeral was conducted with all the Catholic ceremonies. The other two attended and acted very becomingly. We have since learned from a Canadian, who has

crossed the country which they inhabit, that they belong to the nation of Flat Heads, who, as also another called Black Feet, had received some notions of the Catholic religion from two Indians who had been to Canada and who had related what they had seen, giving a striking description of the beautiful ceremonies of the Catholic worship and telling them that it was also the religion of the whites. They have retained what they could of it, and they have learned to make the sign of the cross and to pray. These nations have not yet been corrupted by intercourse with others. Their manners and customs are simple and they are very numerous. Mr. Condamine (Rev. Matthew Condamine was one of Bishop Rosati's clergy attached to the Cathedral) has offered himself to go to them next spring with another. In the meantime we shall obtain some further information of what we have been told and of the means of travel."<sup>3</sup>

There is a difference of opinion among historians as to whether these Indians were ever able to communicate with General Clark and the priests whom they so earnestly sought, save by the medium of signs. Some assert that through "Chinook" a "word language invented by the Hudson's Bay Company," which "was to all Indian tribes from Hudson's Bay to the Columbia, what the classic languages are to the learned world," the reticent and stoical visitors finally explained with the aid of an interpreter, the object of their mission.

Be this as it may, the presence of the delegation and its object astonished the Christian world into respectful and all but incredulous attention. Catholics and Protestants alike, knew that the appeal of those children of the wilderness deserved to be answered.

The first to respond were two Methodist ministers, Jasen and Daniel Lee. They were commissioned by their church, which had raised a fund for the purpose, to look over the

<sup>3</sup> "Indian and White in the Northwest," by L. B. Palladino, S. J., Chapter II, pp. 12-13.



vast expanse of Oregon, and if conditions were favorable, to establish a mission among the Western Indians. The Lees were accompanied by Cyrus Shepard, C. M. Walker, and A. L. Edwards. Jasen Lee was leader of the little band. He was born of American parents, in Canada, in 1803, and was educated at the Wesleyan Seminary at Wilbraham, Massachusetts. In his youth he had taught the Indians of his birthplace. He was full of courage and zeal and worthy of the responsibility of his charge.

At that early time it was no easy matter to accomplish the dangerous journey beyond the Rocky Mountains. He had made several unsuccessful attempts to start on his mission when he heard of the return of Capt. Nathaniel J. Wyeth, who was even then preparing to set out for the second time for the Western coast. This was precisely the opportunity for which Lee had been waiting. Without delay he arranged to accompany Wyeth. John K. Townsend, historian of the second expedition, in his "Narrative of a Journey Across the Rocky Mountains to the Columbia river," wrote under date of March 20, 1834:

"Five missionaries, who intend to travel under our escort, have also just arrived. The principal of these is a Mr. Jasen Lee, (a tall and powerful man, who looks as though he were well calculated to buffet difficulties in a wild country,) his nephew, Mr. Daniel Lee, and three younger men of respectable standing in society, who have arrayed themselves under the missionary banner, chiefly for the gratification of seeing a new country, and participating in strange adventures."

In another passage of his "Narrative" Townsend gives a vivid pen-picture of Lee and his influence over the people of the wilderness:

"The next day being the Sabbath, our good missionary, Mr. Jason Lee, was requested to hold a meeting, with which he obligingly complied. A convenient shady spot was selected in the forest adjacent, and the greater part of our men, as well as the whole of Mr. McKay's

company, including the Indians, attended. The usual forms of the Methodist service, (to which Mr. L. is attached,) were gone through, and were followed by a brief, but excellent and appropriate exhortation by that gentleman. The people were remarkably quiet and attentive, and the Indians sat upon the ground like statues. Although not one of them could understand a word that was said, they nevertheless maintained the most strict and decorous silence, kneeling when the preacher kneeled, and rising when he rose, evidently with a view of paying him and us a suitable respect, however much their own notions as to the proper and most acceptable forms of worship, might have been opposed to ours.

Mr. Lee is a great favorite with the men, deservedly so, and there are probably few persons to whose preaching they would have listened with so much complaisance. I have often been amused and pleased by Mr. L.'s manner of reproving them for the coarseness and profanity of expression which is so universal amongst them. The reproof, although decided, clear, and strong, is always characterized by the mildness and affectionate manner peculiar to the man; and although the good effect of the advice may not be discernable, yet it is always treated with respect, and its utility acknowledged."

The missionaries left the Wyeth party at Fort Hall on July 30, 1834. Instead of remaining with the Selish nation who had made the appeal for "The White Man's Book," Lee and his fellow workers went on to Vancouver. It must be remembered at that time the idea of "the West" was very vague and the Methodists were satisfied to settle in any promising spot and minister impartially to any of its savage tribes, rather than direct their steps towards the Bitter Root valley and settle among the Selish and their kin.

Jason Lee established his mission in the Willamette valley. Under his influence a colony grew up around the mission and for ten years he was its spiritual leader.

Daniel Lee assisted his uncle in building up the Willamette Mission and in 1838 founded

the Mission of the Dalles. The Indian school established by the Lees grew into the Willamette university and the little American settlement, so small in its beginning, was destined to become the power which overthrew the adamant rule of the Hudson's Bay Company and preserved Oregon to the United States.

While the Methodists, represented by five missionaries under the guidance of Jason and Daniel Lee, were traveling westward, other denominations were devising schemes and discussing ways and means of reaching the Indians. The desire of the churches to aid their red brothers of the wilderness was unfortunately bound up in much sectarian red tape.

The American Board of Commissioners for Foreign Missions, at that time hesitated to send the missionaries on so precarious an errand. The long delay and continued inaction aroused the impatience of Rev. Dr. Samuel Parker, of Utica, New York. This zealous gentleman determined to ally himself with some of the fur companies and by that means to finally reach Oregon. Carrying out this plan, in 1834 he went to a trading station on the Missouri river, only to find it deserted for the season by the fur traders who had already departed. Unbaffled by the disappointment, he retraced his steps homeward and renewed his efforts to enlist the aid of the American board. He was supported in this by Marcus Whitman, M. D., and after some delay the board decided to send Parker and Whitman to Oregon to look over the country and report whether or not it would be wise to attempt missionary work among the Indians. In 1835 they reached what was the "western border," joined a party of Rocky Mountain fur traders under the leadership of Fontenelle, and set out for Green river.

The Selish waited long and anxiously for word from their delegation. Michel Insula or Red Feather, "Little Chief and Great Warrior," small of stature but mighty of spirit, always distinguished by the red feather he wore, hearing that some missionaries were

traveling westward, fought his way through the hostile country and arrived at the Green river rendezvous, situated in what is now northern Utah, where some two thousand Indians and trappers were assembled. There Insula met Dr. Parker and Dr. Whitman on their way to Oregon. He was dissatisfied with the ministers because they wore no black gowns such as Old Ignace described, and carried no crucifix. The symbolism of the Catholic church had impressed him deeply and he would have no other faith, so he and his band returned to their people to tell them that the *robes noires* were not yet come and their brave messengers had perished with their mission unfulfilled.

But, if the Protestant ministers had failed to appeal to Insula, they had deeply impressed the Nez Percés and other Indians who listened attentively to their preaching. So successful were they that it seemed unnecessary to hesitate longer as to the advisability of establishing a mission, or indeed many missions, among the western tribes. Therefore the two divines decided that one should continue the journey west while the other should return to the east for reinforcements.

Dr. Parker, the older man, guided by the famous Jim Bridger, passed on to the country of the Nez Percés and kindred tribes, visiting forts Walla Walla and Vancouver. Dr. Whitman, with two devoted young Nez Percés, went back to St. Louis with a wagon train of furs which had come with provisions to the rendezvous.

During his sojourn east Dr. Whitman married Miss Narcissa Prentice, of Angelica, New York. He and his bride, together with Dr. and Mrs. H. H. Spalding, who were also just married, and Mr. W. H. Gray, started for the West in the spring of 1836.

The Whitmans settled at Waiilatpu, near Walla Walla and the Spaldings on the Clearwater at Lapwai, a place east of what is now Lewiston, Idaho. The labors of these Protestant missionaries among the Indians and half-breeds, the zealous patriotism of Dr. Marcus Whitman and the final martyrdom of

his wife and himself form an heroic and inspiring passage in the annals of the West, but their history belongs to Oregon.

Meantime, the two survivors of the Selish delegation had long since turned their faces towards the sunset, little dreaming to what extent their presence had stirred the different denominations of the Christian faith.

General Clark, with characteristic generosity, secured passage for them on board the steamer "Yellowstone." It so happened, that the famous George Catlin, author and artist was a fellow passenger. Being a devoted student of Indian life he was attracted to the two braves and painted portraits of them. In his Smithsonian Report, 1885, Catlin says:

"These two were part of a delegation that came across the Rocky Mountains to St. Louis a few years ago to inquire for the truth of a representation which they said some white man had made them, that the white man's religion was better than theirs, and that they would all be lost if they did not embrace it. Two of the old and venerable men of the party died in St. Louis, and I traveled two thousand miles, in company with those two fellows, towards their country, and became much pleased with their manners and dispositions. When I first heard the report of the object of their mission, I could scarcely believe it, but upon conversing with General Clark, on a future occasion, I was fully convinced of the fact."

The portraits now hang in the Smithsonian Institution and are of great historical interest.

It is probable that not a single survivor of that brave little band of four returned to their native land. Tradition says that the youngest and strongest came back alone but the weight of authority seems to prove that the two who set out from St. Louis died or were killed before they reached their tribe.

These Selish Indians were resolute men, and never faltering, they determined to send another party upon the same sacred quest. This time Old Ignace, he who had first broached the adventure to the council, arose among the chiefs and warriors and offered

to go. He took with him his two young sons. The summer of 1835 was already well spent, but he and the lads started out undaunted, and after a terrible period of ceaseless traveling, smitten with cold and hunger, they reached St. Louis, and Ignace more favored than the preceding delegation, made known the wants of his adopted tribe to the bishop, who listened to him kindly and promised to send a priest among his people.

Ignace and his sons returned safely to the Bitter Root valley and brought the glad tidings to the Selish. But eighteen moons waxed and waned, and though the watchful eyes of the Indians scanned the East, never a pale-faced father in robes of black came out of the land of the sunrise.

The chiefs took council again. They determined a third time to make their appeal. In the summer of 1837 Ignace La Mousse once more led the way and in his charge were three Selish and one Nez Percé brave. They fell in with a little party of white people, among whom was Mr. W. H. Gray, who had come West with Dr. Whitman. Uniting forces for greater safety, they took up the march together. They journeyed onward unmolested until they came to Ash Hollow in the land of the warlike Sioux. In that fateful place three hundred of the hostile tribe surrounded them. The Sioux, wishing only the scalps of the Selish and Nez Percés, ordered the white men and Old Ignace, who was dressed in the garb of civilization, to stand apart. The whites obeyed, but Ignace La Mousse, scorning favour or mercy at the enemy's hands, joined his adopted tribal brethren and fought with them until they all lay dead upon the plains. So ended the third expedition.

Once more news of the bloody death of their heroes reached the Selish. In 1839 a fourth and last party volunteered to undertake that which now seemed a hopeless charge. Two Iroquois, Young Ignace La Mousse, so called to distinguish him from the elder of the name, whose memory was held honorable by the tribe, and Pierre Gaucher, "Left Handed Peter," set out, joining a party of the Hud-



son's Bay Fur Company's men and making the trip in canoes. They finished the journey in safety and obtained from Monseigneur, the Bishop, the pledge that in the spring he would send a missionary to the Valley of the Bitter Root. Young Ignace waited at the mouth of Bear river through the winter in order to be ready to guide the priest to the Selish with the coming of the spring. Pierre Gaucher returned hot-footed, in triumph, conveying to the tribe the glad tidings that their prayer had been answered; that the Great Black Robe was sending them a disciple to preach the Holy Word. At last, after eight years of waiting, the Selish were to have granted them their heart's desire. From out of the East the pale-faced, black robed father would come bearing with him the Cross, illuminated by the rising sun, casting the benediction of its shadow upon the people and their land.

When the Selish learned from Pierre Gaucher that the *robe noire* was in reality traveling towards their country even then, the Great Chief assembled his braves and it was decided that the tribe should march forward to meet and welcome their missionary. Accordingly, they started in good season and on their way met groups of Kalispehlms, Nez Percés and Pend d'Oreilles, who joined them, swelling their number to about sixteen hundred souls. The ever increasing cavalcade moved on over pass and valley, peak and ford, clad in rich furs, wareagle feathers and buckskins bright with beads,—a gaily colored column filing through woods. Finally, in the Pierre Hole valley they came upon him who was henceforth to be their teacher and guide, Father de Smet, whose memory is held in reverence by the Indians of the present generation.

There was great rejoicing among the Selish, the Nez Percés, the Pend d'Oreilles and the Kalispehlms. They burst into wild shouts of delight, swarming around the pale priest, shaking his hand and bowing down before him. They conducted him to the lodge of the Great Chief, called the "Big Face," whom Father de Smet has described as one "who

had the appearance of a patriarch." The Chief made Father de Smet welcome in these words:

"This day the Great Spirit has accomplished our wishes and our hearts are swelled with joy. Our desire to be instructed was so great that four times had we deputed our people to the Great Black Robe in St. Louis to obtain priests. Now, Father, speak and we will comply with all that you will tell us. Show us the way we have to take to go to the home of the Great Spirit."

Thus spake the Big Face, Chief of all the Selish, and there, before the assembled peoples of the kindred tribes, he offered to the priest his hereditary honours as ruler. His renunciation was sincere, but Father de Smet replied that he had come merely to teach, not to govern them.

That night in the deepening shadow, the children of the forest gathered together around their new leader and chanted a song of praise. Strange music swelling from untutored lips and awakening hearts into the wild silence which had echoed only the howl of native beasts and the war cry of battle and death! Yet even in that hymn of thanksgiving there was an undertone of unconscious sadness. It was the beginning of a new epoch. The old, poetical wood-myth and paganism were gone; the free range over mountain and plain in the exhilarating chase would slowly give place to the pursuits of husbandry. And this new, shapeless compound of civilization and religion was bringing with its blessings, a burden of obligation and pain.

Father P. J. De Smet was a Belgian. He was born in Termonde, East Flanders, Belgium, at the confluence of the Scheld and Dender rivers, on January 31, 1801. He had spent some time with the Pottowattamies in Kansas and was just enlarging the scope of his work there, when, in answer to the appeal of the Selish, he volunteered to go to the tribes of the Rocky Mountains. He understood the Indians well and what was most important, he loved them. He remained among the Selish long enough to be assured of their

docile nature and sincerity of purpose, then returned to St. Louis to urge the establishment of a permanent mission and to ask assistance to carry on his work. Monseigneur, the Bishop, listened favorably to his appeal and consequently, in the spring of 1841, Father De Smet, reinforced with two Italian priests, three lay brothers and some other men, started for the Rocky Mountains. The Selish had promised to meet the party at a given place at the base of the Wind River mountains, on the first day of July. The Indians waited until they were driven by hunger to hunt in more likely fields. The Fathers, learning this, sent a messenger to recall them, and they hastened back to greet their apostle and his followers. And of that little band there were Charles and François, the sons of Old Ignace, the Iroquois; Simon, the oldest of the tribe, and Young Ignace of great fame, who, we are told, journeyed for four long days and nights having neither food nor drink, in his haste to make good his promise to meet the *robes noires*.

So far was the season advanced that the Selish had already started on their buffalo hunt. Therefore, the priests whose supplies were exhausted, with their Indian friends, went on to Fort Hall, procured provisions there, and then proceeded to the Beaver Head river to join the tribe. The priests stayed only a few days among the Indians who were absorbed in the chase, and again took up their journey with the Bitter Root valley as the chosen place of permanent rest. There they had determined to build the Mission, "the House of the Great Spirit," and there the Selish promised to join them after the hunt was over in the fall. Along the course of the Hell Gate river they took their way and at last came safely within the green refuge of the valley to lay down their burden and build their church. They selected a fair spot near the present site of Stevensville and labored long to fashion the pioneer home of the Faith, which they called The Mission of St. Mary's. The good priests went farther still and renamed the valley, the river water-

ing it, and the highest peak, St. Mary's, so anxious were they to eradicate every trace of the old pagan beliefs of their converts, even to the names of the valleys, lakes and hills.

The element of incongruity and pity in this, the zealous fathers did not appreciate. That the jagged, beetling crest, the home of the thunder cloud, the womb whence issues glacier and roaring stream, fit to be Jove's dwelling, should bear the mild title of St. Mary's, did not shock their notions of the eternal fitness of things. Happily, the valley with its rose-starred brocade of flowers, is still the Bitter Root and a reawakening interest is calling the old names from oblivion to take their places once again, vesting peak and stream and grassy vale with a significance of meaning totally wanting in the artificial foreign titles forced on them by those who neither knew nor cared for their tradition and sentiment.

The good fathers of St. Mary's had no such thought for the ancient paganism, its names and symbols. They were busy planting the Cross, building a chapel, the best that their strength and skill could erect, and other structures necessary for their protection and comfort. It was a labor of love, as much a religious rite as the saying of the mass, and verily, the ring of the hammers must have seemed in the ears of those devoted men, endless *aves* and *pater noster*s. Finally the work was done. A comfortable log cabin, large enough to hold nearly the assembled tribe, stood in the valley, and when the Indians returned from the hunt, they were joyful in this, their reward, for all those brave attempts to bring the Light into the wilderness.

The Mission completed, Father de Smet traveled to Fort Colville in Washington, a journey of more than 300 miles, to procure seeds and roots, and on his way he stopped among the Kalispehlms, the Pend d'Oreilles and the Coeur d'Alenes, all of whom welcomed him and listened attentively to the message he brought. He took back to his Selish charges at St. Mary's "a few bushels of oats, wheat and potatoes," which he and his breth-

ren sowed. The Indians, like children, watched with wonder, the planting, sprouting, ripening and reaping of the crop, a thing hitherto unknown to them, though husbandry on a small scale had been practiced at an earlier date by some of the Eastern tribes.

But however truly the Indians loved their new teachers, the *robes noires*, and however sincerely they accepted the tenets of their faith, they still persisted in buffalo hunts, which twice a year took them into the contested country, and upon these expeditions, fired with excitement, alive with all the heritage of passion inspired by the chase, the war path and the intoxication of glory handed down to them through an ancestry so ancient as to be lost in the dimness of beginnings, they forgot for the time, at least, the life of order, industry and religion they had pledged themselves to lead. Therefore, one of the new priests, Father Point, accompanied them on the hunt, but in the abandon of those days when every sense was strained to find the prey, and every nerve was as tense as the bow-string ere it speeds the arrow to its mark, it was impossible to preach to them the gentle word of Christianity, so that the Fathers gave up these attempts and remained at the Mission awaiting the return of their straying converts, a situation which was to result sadly for St. Mary's. Meantime the work was growing. The Pend d'Oreilles and Coeur d'Alenes had asked for missionary priests and Father de Smet needed more helpers in the new land.

From St. Mary's, the Mother Mission, Father Point and Brother Huet went forth to minister to the Coeur d'Alenes, where they established the Mission of the Sacred Heart. A third Mission, St. Ignatius, was founded amongst the Kalispahls on the Pend d'Oreille river. With these two offshoots from the parent stem of St. Mary's, it was necessary for Father de Smet to seek reinforcement abroad, but before he sailed he started westward three new recruits from St. Louis.

It must have been an inspiring sight when this humble priest, fresh from the western woods, the scent of the pines exhaling from

him, the breadth of vast distances in his vision, the simplicity of the Indian's racial childhood reflected in his own nature, stood before his August Holiness, Pope Gregory XVI., in the grandeur of the Vatican at Rome, and there, amidst the pomp and ostentation, the wealth and luxury of the headwaters of that church which sends its streams to the utmost corners of the earth, plead the cause of the lowly Indian. More imposing still, it must have been, when His Holiness arose from his throne and embraced this apostle from the great, New World. The Pope sought to make the priest a bishop, but Father De Smet chose to remain as he was, and certainly in the eyes of unprejudiced laymen, he gained in simple dignity more than he foreswore in ecclesiastical honors.

This trip of Father De Smet to Europe has a peculiar interest in that it was the means of bringing into the West, besides numbers of pioneer Sisters, and clergy, a man so beloved, so revered that his name—Father Ravalli—is known by Catholic and Protestant, Indian and White alike, through the whole of the Rocky Mountain region. Those who knew the gentle old man loved him not only for his spirituality, but for his human sweetness. He possessed that breadth of sympathy which sheds mercy on good and bad equally, commiserating the fallen, pitying the weak. He was a native of Ferrara, Italy, where he was born May 16, 1812, and at a very early age decided to become a missionary priest. That he might be most useful materially, as well as religiously, he fitted himself for his work. He graduated in *belles lettres*, philosophy, the natural sciences, and became a teacher in these branches of learning, in several cities of Italy. Under a skilled physician of Rome he studied medicine; in a mechanic's shop he learned to the use of tools; finally, in a studio, he practised the rudiments of art which he always loved. So he came to the Indians bringing with him great human kindness, and the knowledge of crafts and homely pursuits that made their lives more easy and independent. It was he who devised the first crude mill, the



means of giving the people flour and bread, he who by a hundred ingenious devices lightened the burden of their toil. But most of all was his practise of medicine a mercy.

To stricken infancy and old age he was alike attentive; to dying Christians he bent with ready ear and alleviating touch, or as compassionately eased the last throes of highwayman, heretic or murderer. Over the bleak, snowy passes of the mountains, heedless of hardship or danger, he hurried in answer to the appeal of the sick, no matter who they were or where they dwelt. And though often those who went before or came after him were robbed, he was never molested. The most desperate of the "road agents" respected him and suffered him to pass in peace on his way. Gently brave like the good bishop in *Les Misérables*, his very trustfulness was his safeguard. Perhaps as striking an example of his forethought as we can find is the fact that he trained a squaw to give intelligent care to women in the throes of childbirth. There is no record of the mothers and babes spared thus, but there were many, and even the letter of the monkish law never stayed his helping hand or curbed his humane devotion. The more ascetic brethren who lived in colder spiritual altitudes, looked doubtfully upon Father Ravalli's impartial ministry; the more astute financiers who held the keys to the church's coffers, frowned upon his unrewarded toil, and there comes a whisper through the years that there were times when he was an object of charity because he never asked reward for the surcease of suffering his patient vigils brought.

He traveled from one to another of the Northwestern missions and even to Santa Clara, California, but he is known best and loved most as the Apostle of the Selish at St. Mary's. Indeed, looking back through the perspective of time at the plain, little mission crowned as with an aureole, one figure stands out clearly among the pious priests, who, in turn, presided at its altar, and this figure is Father Ravalli. He died on October 2, 1884,

at the good old age of 73, after forty years of missionary work among the Indians.

His grave marked by a shaft of stone, is within the shadow of the church in the valley of the Bitter Root, and it was fitting he should lie down to rest where he labored so long and lovingly. A generation hence, when the hallowed places of the West become shrines about which pilgrims shall gather reverently, this tomb of the gentle old priest will be written of and visited.

In spite of the progress of the beneficent work and the fresh blood that had infused new strength into the cause, dark days were to cast their shadow upon the little Mission of St. Mary's. No power could restrain the Selish from the chase, and during their absence twice a year, the colony left behind, consisting only of the priest and those too aged or sick to follow the tribe, were menaced by the Blackfeet and Bannack Indians. The old feud was fanned red hot by the Selish killing two Blackfeet warriors who invaded the very boundaries of the Mission with hostile intent. The threats from the Blackfeet became more terrible. They lurked in the thick timber and brush around the stockade which enclosed the Mission, and, finally, while the tribe was absent on a buffalo hunt, a rumor reached the anxious watchers that the hostiles would descend in a great war party upon the defenseless community. And indeed, they were roused by war whoop and savage yell to see swarming around their weak barricade, the dreaded enemy. Father Ravalli was in charge of the Mission at that time and he and his companions prepared themselves for the death which seemed inevitable. But the Blackfeet, probably seeing that only a man stricken with years, two young boys and a few aged women and little children were all of their hated foe who remained at St. Mary's retreated to the brush. One of the two boys ventured to the gate to make sure the Blackfeet were gone and was shot dead. This tragical incident and the more awful menace it carried with it to those who were left at the mercy of the in-

vading tribes, led to the temporary abandonment of St. Mary's.

In those early days, the missions being the only habitations within many hundred miles, became the refuge and abiding place during bitter weather, of French-Canadians and mixed breed trappers, who in milder seasons ranged over the mountains and plains in pursuit of furs. These half-savage men were undoubtedly a picturesque part of the old woodland life and their uncouth figures lent animation and colour to the quiet monotone of the religious communities. In the first quarter of the last century we find mention of French-Canadians employed by the Missouri Fur Company, appearing on New Year's Eve, clad in bison robes, painted like Indians, dancing *La Gignolee* to the music of tinkling bells fastened to their dress, for gifts of meat and drink. The trappers were, in the day of St. Mary's Mission, a licentious, roistering band with easy morals, consciences long since gone to sleep, who did not hesitate to debauch the Indians, and who feared neither man nor devil. They went to St. Mary's as to other shrines, and under the pretext of practising their religion, lived on the missionaries' scanty stores and filled the idle hours with illicit pastimes. It is said that they became revengeful because of the coolness of their reception by the priests, and maliciously set about to poison the Selish against the beloved *robes noires*. However this may be, whether the wayward, capricious children strayed or not, it is certain that they would not sacrifice the buffalo hunt for priest or promise of salvation, so the Mission was dismantled and leased; its poor effects packed and the Apostles of the Faith started out again to seek refuge in new fields. At Hell's Gate or Devil's Gate, the inferno of the Blackfeet, they parted; Father Ravalli to wend his way to the Mission of the Sacred Heart among the Coeur d'Alenes, the rest, under the escort and protection of Victor, the Lodge Pole, Great Chief of the Selish and father of Charlot, followed the Coriakan defile to the Jocko river and finally arrived at St. Ignatius, the Mission of the Kalispehlms.

For a time we leave St. Mary's in the sad oblivion of desertion while those who had tended its altar, poor pilgrims, toiled over diverse trails toward different destinations.

We shall pass on to the Mission of St. Ignatius, whither the party from St. Mary's sought refuge, which in the course of time, absorbed some of the lesser institutions and became, as we shall see, the religious center of several tribes. The Mission of St. Ignatius was the same founded by Father Point on the banks of the Pend d'Oreille river among the Kalispehlms in the year 1844. The original location proved undesirable, so ten years later the Mission was moved to a site chosen by the advice of Alexander, chief of the tribe. A wonderful revelation it must have been when the Indian guide, leading the priests through a pass in the mountains, the secret of his people, showed them the vast sea of flowering green—the valley of Sin-Yal-Min—barred to the east by the range of the same name. There, everchanging shades of violet and lights of gold altered the mien of these mountains whose jagged peaks showed white with snow, from whose deep bosoms burst a waterfall plunging from mighty altitudes into the emerald bowl of the valley. This was veritably a kingdom in itself, and no white man had trodden the thick embroidery of wild flowers and grass. It had been a gathering place for many tribes. Within its luxuriantly fruitful limits, berries and roots grew in plenty and game abounded in the neighboring hills.

In the very palm of Sin-Yal-Min the new Mission of St. Ignatius was builded. There could scarcely have been a more ideal spot for church and school, forming the nucleus of an agricultural community. There gathered parties of the upper and lower Kalispehlms, upper Kootenais, Flat Bows, Pend d'Oreilles and Selish, to pitch their tepees in the shadow of the Mission Cross. Many of these Indians made for themselves little farms where they labored and lived. Entire families of Selish moved from the Bitter Root valley to be near the *robes noires* they loved. St. Ignatius possessed an advantage that bound the Indians to

it by permanent ties, and that was its schools. Four pioneer Sisters travelling into the Rocky Mountain region under the guidance of two priests and two laymen, from their home mission in Montreal, founded at St. Ignatius the first girls' school among the Indians of the territory. Not long thereafter the priests established a similar school for boys, where they taught not only the French and English languages and the rudiments of a simple education, but also such handicrafts as seemed most necessary to the development of industry. In saddle-making particularly, the boys excelled, and wonderful specimens of leather work have gone forth from the Mission shops. Thus, largely through its practical industry St. Ignatius grew into a powerful institution. Building after building was added to the group until a beautiful village sprang up, half hidden among clumps of trees and generous vines. On the outskirts of this community rows of tiny, low, thatch-roofed log cabins were built by the Indians to shelter them when they assembled to celebrate such feasts as Christmas, Good Friday and that of St. Ignatius, their patron saint.

The fates favored St. Ignatius. In the year of its removal the Hell's Gate treaty was signed wherein the bounds of the reservation were readjusted, making the new mission the center of that rich dominion. The treaty of the Hell Gate, participated in by the Selish, the Pend d'Oreilles and some of the Kootenais, was the same, wherein Victor, the Father of Charlot, insisted upon retaining possession of the Bitter Root valley "above the Lolo Fork" for himself and his people, unless after a fair survey by the United States, the President should deem it best to move the tribe to Jocko. This agreement was entered into in 1855. Seventeen years went by. The Indians declare that no survey was ever made during that time nor were they furnished with school teachers, skilled artisans and agriculturists to instruct them, as had been promised on the part of the government. Summarily the Selish were called upon to sign a second agreement, the Garfield treaty, which deprived them

of their ancestral home and drove them forth to share the Jocko Reservation in common with the allied tribes. This was at once an impetus to the fortunes of St. Ignatius and a mortal blow to St. Mary's.

That pioneer shrine, abandoned on account of the depredations of the Blackfeet, remained dark and silent for sixteen years. The Selish mourned the loss of their friends and teachers, the *robes noires*. In spite of the absence of the church's influence, save such intermittent inspiration as the occasional visit of a priest, the Selish prayed and waited. And surely, poor, impulsive children that they were, if they had been misled by tale-bearing, mixed breed trappers, their digression was dearly expiated. During those sixteen years they remained faithful to the cause which four delegations of their number had braved danger, privation and death to win.

In the meantime the West was changing. The first stern, ascetic days were passing when the best of men's characters was called into active existence to cope with immediate hardship; when every nerve rang true, tuned to the highest bravery and that magnificent indifference to death which makes heroes. The cry of gold ran through the length and breadth of the land and the headlong rush of adventures, good and bad, from the four corners of the earth, all bent on wealth, changed the spirit of the western world. In that mad stampede, men, spurred by the lust of gain, pushed and crowded each other, and with such competition, who thought of or cared for the Indian? His day was done; the accomplishment of his ruin was merely a matter of years. Moreover, the lower element of the reckless, pillaging crew of gold seekers brought with it the vices of civilization—drink and the game.

Change the ideal which inspires a deed and the deed itself is changed. That first, stern West which taught men not to fear by surrounding them with danger, made heroes of them because they had braved the unknown for some noble purpose, religion, the simple love of Nature or another reason as good; but in these altered conditions where debauching



gain was the one object of their quest, though they spurned death as the pathfinders had done, their bravery sank to bravado and dare-deviltry because their purpose was sordid.

With this invasion of the wilderness the whole aspect of the mission work underwent a change. The masked man on horseback stalked the trails; the bizarre glamour of the dance hall flaunted its coarse gaiety in the mushroom camps' thronged streets; the saloon and gaming house brought temptation to the Indian, and generally he fell. It was also true that in more than one instance the precedent of bloodshed was set by brigand whites, sowing the seeds which later were to bear a harvest of war.

So, when St. Mary's opened her doors in 1869, it was upon a period of transition. If the placid image of Our Lady, looking through half closed eyelids, could have seen and understood the metamorphosis what a shock would have smitten her sainted soul! The painted, war-bent Blackfeet were gone far back into their fastnesses but here and there, thick and fast, came the white settler, peaceful, cold, inevitable, overwhelming, bringing ruin to the old life and its people—the beginning of the end. And that calm, just Mother of Mankind would have seen the timid shadow-shapes of the Selish melting into the gathering twilight, at once welcoming the stranger to the land and relinquishing it to him, retiring step by step before the great white inundation. It is useless to prolong the story. The climax had to come, and come it did, swiftly, cruelly, with a dark hint of treachery that we, of the superior race are too willing to excuse and condone. By the Garfield Treaty, which, by a curious anomaly, never very lucidly explained, bears the sign of Charlot, son of Victor, hereditary chief of the Selish, that he, a man in his sane senses swears he never signed, the tribe renounced all claim to the land of their fathers and consented to betake themselves to the Jocko reservation. During the twenty years of the existence of St. Mary's as an Indian Mission, after its second opening, the fathers, among them Father Ravalli, watched over and

tended their decreasing charge. The numbers of the red hosts dwindled; the falling off of the people through new and unnatural conditions thinned their ranks, but surer still, was the admixture of the white strain, so corrupting in most cases to the unfortunate in whom the two race strains commingle. But in spite of the Garfield Treaty, notwithstanding the exodus of the main body of the Selish, St. Mary's faithful to the end, drew to her little altar the last, failing remnant of the tribe—the splendidly defiant Charlot and his band. At last, in 1891, they accepted the inevitable and rode away to the land of their exile resigning to the conquering race their blood-right to the Bitter Root. This was the death of St. Mary's. It remained standing, a church of the whites, but an Indian mission no more. In looking back through the years, their mercies and their cruelties, it is a sorrowfully sweet thing to remember that Father Ravalli, guardian spirit of the Selish, lay down to rest before the ultimate change, the final expulsion, while the first light of the wilderness from the altar of St. Mary's still shone, however faintly, to show the way.

The sequel of St. Ignatius is, happily, less pathetic in its unfolding. The life that ebbed from St. Mary's flowed amply into the newer Mission's growing strength and today it stands, substantial and prosperous in the valley of Sin-yal-min. Though the same tragedy has been enacted there, the expulsion, less summary, leaving to the individual Indian his garden patch, St. Ignatius remains a beacon to the dusky hosts, poor frightened children who cling to this lost hope, promising as it does a happiness born of suffering, an ultimate reward which not even the white man can take away. A handsome new church, frescoed by an Italian brother, does service instead of the old chapel, venerable with age that hides behind the sheltering trees. In front of the modern church stands the great wooden cross erected by the early fathers, which the Indians kneel to kiss before they go to mass. And to the right, covered with wild grass, and that neglect of which such vagrant growths are

the emblem, is the old cemetery where so many weary pilgrims who travelled long and painfully over difficult trails, have sought peace past the power of dreams to disturb.

Here, as we have seen, upon feast days, the Indians come, the scattered bands gathering from mountain and valley, clad in gala attire. Their ranks are thinning fast. The once populous nation of the Selish is shrunk to between three and four hundred souls, still the little village often holds a thousand Indians all told, from the different neighboring tribes. And sometimes, bands from far away, distinguished by diversified language, curious basketry and articles of handicraft, come as spectators to the feasts.

The great nation of the Blackfeet, composed of the allied bands of Bloods, Piegons, and North Blackfeet, was more difficult of spiritual conquest than the Selish, Nez Percés and Pend d'Oreilles. These warlike and free spirited braves of the north country had no reason to love the white men nor to welcome their coming, either in the capacity of traders or spiritual advisers. Their first experience had been bitter. One of their allies had been shot and killed by Captain Lewis in a fight which occurred upon the return journey of the Lewis and Clark Expedition. The following account of the tragedy is given in Patrick Gass's Journal:

"Monday, 28th, (1806). The morning was fine and pleasant, and at an early hour we proceeded down the river. In our way we killed six goats or antelopes and seven buffalo; and about one o'clock came to the point at the mouth of Maria's river, where we met with the party who had come down from the falls by water, and who had just arrived; and also unexpectedly with Captain Lewis and the three men who had gone with him. They had joined the party descending the river this forenoon, after riding one hundred and twenty miles since yesterday morning, when they had a skirmish with a party of the Prairie Grossventrees, or Bigbellied Indians who inhabit the plains up Maria's river; of which they gave the following account. On the evening of the

26th Captain Lewis and his party met with eight of those Indians, who seemed very friendly and gave them two robes. In return Captain Lewis gave one of them, who was a chief, a medal; and they all continued together during the night; but after break of day the next morning, the Indians snatched up three of our men's guns and ran off with them. One Indian had the guns of two men, who pursued and caught him, and one of them killed him with his knife; and they got back the guns. Another had Captain Lewis's gun; but immediately gave it up. The party then went to catch their horses, and found the Indians driving them off; when Captain Lewis shot one of them, and gave him a mortal wound; who notwithstanding returned the fire, but without hurting the captain. So our men got all our own horses but one, and a number of those belonging to the Indians, as they ran off in confusion and left everything they had. Our men then saddled their horses, and made towards the Missouri as fast as possible, after Captain Lewis had satisfied himself with respect to the geography of the country up Maria's river."<sup>4</sup>

Later encounters did not prove more salutary in their effect. Unprincipled renegade hunters participated in war raids upon them and the feeling of hatred had been fostered, not without cause, until these people were dreaded by all the early travelers into western territory.

Nor were their hostilities confined to the white invaders alone. Their war-parties contested the hunting grounds of the Selish, Kootenais, and other neighboring tribes. They captured bands of ponies,—the spoils of war,—and did battle with their enemies whenever opportunity offered a chance of success. These northern braves clung jealously to the traditions of their forefathers.

It was small wonder, then, that the earliest missionary efforts met with failure. An inci-

<sup>4</sup> See "A Journey of the Voyages and Travels of a Corps of Discovery, under the Command of Capt. Lewis and Capt. Clark of the Army of the United States, etc.," by Patrick Gass, Chap. XXIV, p. 244

dent, relative of a visit of one of the first priests, shows the Indian point of view. The people listened, respectfully enough, to the words of the Father but when he had finished addressing them Running Crane, one of the patriarchs of the tribe replied that the Blackfeet had always worshipped the Great Mystery which dwelt within the Sun; they could see the light and feel the heat of the Great Orb; they could observe its influence upon the seasons from the cold of winter to the summer's heat; from the falling of the leaves to their budding,—but that which the white priest offered in place of the old worship they could not see nor feel, therefore they preferred their own religion.

Father De Smet was a man of unflinching courage, and having successfully ministered to so many other Indians, his chief ambition became the conversion of the Blackfeet nation. He was prejudiced in favor of his own neophytes and his letters show that he looked upon the Blackfeet as treacherous and cruel and dominated by superstition.

However, in 1841, together with Selish, Pend d'Oreilles and Nez Percés,

"There was an old chief of the Blackfeet nation, in the camp, with his son and his little family, five in all, who had been hitherto very assiduous in their attendance at prayers and catechism," writes Father De Smet. "They profited so well, that with the grace of God, a hundred and fifteen Flatheads, with three chiefs at their head, thirty Nez Percés with their chief and the Blackfoot chief and his family, presented themselves at the baptismal font on Christmas Day."

The Blackfoot Chief received the Christian name of Nicholas.<sup>5</sup>

Five years after, in 1846, Father De Smet met him again. He says:

"Sept. 11th, 1846. Our course lay through an extensive level plain, at the very base of the Muscle-shell Mountains. These rise abruptly from the plain around, resembling broken.

elevated islands in the midst of the ocean, and their tops tufted with a heavy growth of cedar and pine. While admiring the singular appearance of the scenery, my attention is called off to a very distressing accident. An old Indian is seen falling from his horse, receiving in the fall a severe wound between his eyes; he remains senseless; all efforts to revive him are fruitless. It was the old Blackfoot Chief, Nicholas, whom I baptized five years ago; he acted, ever since, the part of a most effective missionary, in preparing the way for the introduction of the gospel among his tribe. To-day he entered what he called his own country, chanting hymns of praise and thanksgiving in the happy anticipation of soon presenting us to his brethren. He dies! not even a sigh escapes him. \* \* \* The remains of the venerable chief were placed in the grave by the hands of his own son, and over his tomb the emblem of salvation was raised—the cross of the Saviour, whose words were now for the first time announced to the lonely tribes of this long-benighted wilderness. At the very moment the last prayers of the funeral service were uttered, 'May he rest in peace,' a busy stir breaks the death-like silence of the surrounding crowd of Indians. A Flathead approached in full gallop, announcing the pleasing intelligence that two Blackfeet had reached their camp, and informed them that the tribe of Nicholas was within two days' march of us."<sup>6</sup>

Two days later Father De Smet wrote:

"The chief inquiries, if it would please us to see the Black-Foots manifest their joy in their own way, that is, by painting, singing, and dancing; the answer was: 'Do the best you can to show your friends that you are pleased.' We learn by an express, just arrived, that the Big Lake, the great chief of the Pegans, harangued his people, exhorting them to behave orderly, and to listen with attention to all that the Fathers would say to them. He is accompanied by the great Tail-

<sup>5</sup> Letters and Sketches by P. J. De Smet. Letter XII, pp. 317, 318. "Early Western Travels" Series, Vol. XXVII. Edited by R. G. Thwaites.

<sup>6</sup> Oregon Missions by P. J. De Smet. Letter XXIV, pp. 345, 346, 349. "Early Western Travels" Series, Vol. XXIX. Edited by R. G. Thwaites.



Bearer, a kind of orator, or aid-de-camp to the chief. His tail, composed of buffalo and horse-hair, is about seven or eight feet long, and instead of wearing it behind, according to the usual fashion, it is fastened above his forehead, and there formed into a spiral coil, resembling a rhinoceros' horn. Such a tail, among the Black-Feet, is a mark of great distinction and bravery—in all probability, the longer the tail the braver the person.

"14th. An agreeable disappointment. The Flat-Head camp, from which we separated four days ago, is only about ten miles from us. They sent an invitation to the Big Lake, desiring, at the same time to trade with him on friendly terms. Opinions are divided among the people of the Big Lake. The chief is for postponing the trade until the meeting with the Black-gowns takes place; the Tail-Bearer gives the preference to trade. The chief's voice prevails. An Indian from one camp arrives about ten o'clock, to herald their approach; all the horses are immediately saddled, and the two Black-gowns, at the head of a numerous band of cavaliers, forming one extensive line, in single file, proceed through a beautiful open plain, the air resounding with songs of triumphal joy. We are soon in sight of each other—a loud discharge from all the guns was the signal to dismount, when the Big-Lake and Tail-Bearer, followed by the whole tribe, walked up to give us a warm and affectionate shake of the hand. Smoking came next; and after the friendly pipe had passed from mouth to mouth, and had made several rounds, they communicated to each other the news since parting. I made to them my preparatory address, to dispose their minds and hearts to listen with attention to the word of God. To this appeal they responded with a loud and cheerful expression of the satisfaction they felt in listening to the Black-gown. We had scarcely introduced our new friends into the camp, before the Flat-Heads and Nez Percés were seen approaching. Their meeting was still more joyful and cordial than the one we had just witnessed among the people of the Big-Lake. This is not astonishing, when

you know them; the savage is naturally reserved towards men he does not know. The candid, open ways of acting which distinguish our neophytes soon communicate themselves to the Black-Feet, and before the sun went down, Black-Feet, Flat-Heads, young and old, all show equal pleasure to find us, on such an occasion, in the midst of them.

"After evening prayers were said in the Black-Foot and Flat-Head languages, I addressed to them a short discourse on the happy reunion and peaceful disposition that now existed between the two nations. What a pleasing sight! What a consoling triumph for religion, to behold those warriors, whose deep-scarred faces told of the many bloody battles they had had together,—who could never meet before but with feelings of deadly enmity, thirsting for each other's blood, now bending the knee before their common father in prayer, as with one heart, and listening with delight to the words of the peaceful Redeemer. The chiefs and the principal men of both nations passed the evening in my lodge. Victor, the great Flat-Head chief, gains the good-will of all,—charms everybody by the suavity and dignified simplicity of his manners. He relates some of his exploits, not indeed to appear conspicuous, as is evident from the modest and simple way in which he speaks. \* \* \* The Black-Feet who were engaged in the late battle with the Crows, confirm the statements of Victor, and recount many edifying circumstances which they had witnessed in the Flat-Head camp. The making of the sign of the cross was highly extolled, as a certain sign of victory to those who had already given their hearts to the true God. It is truly today the Exaltation of the Holy Cross.

"15th. The Octave of the Nativity of the Blessed Virgin. The new disciples of the cross assist at a solemn mass, sung in the open plain, under the canopy of green boughs, to beg for the blessings of God upon this wilderness and its wandering tribes, and unite them in the bond of peace. Flat-Heads, Nez Percés, Pegans, Blood Indians, Gros Ventres and Black-Feet, numbering about two thou-

sand, all surround the altar of the Living God, on which 'the clean oblation is offered,' in their behalf. It is a thing unheard of, that among so many different savage nations, hitherto so inimical to one another, unanimity and joy, such as we now witness, should exist,—it appears as if their ancient deadly feuds had been long since buried in oblivion, and this is the more remarkable in an Indian who, it is well known, cherishes feelings of revenge for many years. How long will this last?"<sup>7</sup>

The question was a pertinent one. Father De Smet had accomplished that which seemed scarcely less than a miracle,—the peaceable meeting of the Blackfeet and the Flatheads who had been enemies from time immemorial and he had effected a reconciliation between warring factions of the Blackfeet nation. But how long such a condition of amity would last was indeed doubtful. From this time Father De Smet bent his energies towards the establishment of a permanent mission for the Blackfeet.

Father Nicholas Point, who had already done creditable work among the western tribes, spent the winters of 1846-1847 with the Blackfeet and Gros Ventres of the Plains. He lived at Fort Lewis, a post of the American Fur Company near Fort Benton, named for Captain Lewis of the Lewis & Clark Expedition, but during this time he visited many different bands, appealing to the people through his natural genius as a portrait painter and instructing them in the Catholic faith.

An interesting account of Father Point and his work is given in the Journal of Lieut. James H. Bradley. He writes:

"Several events of interest had transpired in his (Maj. Culbertson's) absence. Father De Smet, S. J., the celebrated Indian Missionary, who has published several volumes of his experience and observations on the plains, had arrived at the post about the last of August, on his way east from Oregon, accompanied by Father Point, S. J. Leaving Father Point at

the fort he had gone on down the river in a skiff, attended by Clark and two men. \* \* \* Father Point, whom we have seen was left by Father De Smet at the fort, was furnished quarters and a room for a chapel and school. He was a man of great austerity and severe in the practice of his religion. He had daily service in his chapel, and mass upon Sundays, attended by all the squaws and most of the white employes of the fort, Major Culbertson himself setting them the example. The Father was filled with zeal for their conversion to the holy faith, sternly reproved every exhibition of profanity and rebuked every immorality, and gradually made himself feared but respected by every inmate of the fort; over the squaws in particular gaining a complete ascendancy. Even Major Culbertson was not exempt from his denunciation when occasion arose."<sup>8</sup>

In the spring of 1847 Father Point left Fort Lewis for the Upper Canada Missions.

During the interim, while the Jesuit priests had temporarily abandoned this field, a protestant mission was established at Fort Benton. Rev. George Edwards, in an article on "Presbyterian Church History" gives a short account of the first Presbyterian Mission in Montana.

He writes:

"In 1857 a Presbyterian minister and his wife came up the Missouri river to Fort Benton for the purpose of founding a mission among the Indians."<sup>9</sup>

He quotes the following extract from a letter written by Mr. Jacob Schmidt, in reply to an inquiry for information from Rev. Thomas V. Moore:

"I knew the person to whom you refer. He was a Protestant minister and came up the Missouri river with me in 1857, with his wife, as far as Fort Benton, to do missionary work.

<sup>8</sup> Affairs at Fort Benton, from Lieutenant Bradley's Journal. Montana Historical Society Contributions, Vol. III, pp. 246, 247.

<sup>9</sup> Presbyterian Church History by Rev. George Edwards. Montana Historical Society Contributions, Vol. VI, p. 290.

<sup>7</sup> Oregon Missions by P. J. De Smet, Letter XXIV, pp. 353, 354, 357, 358. "Early Western Travels" Series, Vol. XXIX. Edited by R. G. Thwaites.

He did not stay long, only about ten days, and his wife got homesick, so they sold the furniture they had and went back to Walla Walla, Oregon, as they did not want to take any chances by going back on the Missouri, as the Indians were very treacherous.' ”<sup>10</sup>

According to Mr. George Steel, who came to Fort Benton in 1857, just after the departure of the missionary and his wife, the Indians did not take kindly to their new pastor because, like other men, he had a wife and therefore differed from the *robes noires*, the only religious teachers with whom they had come in contact.

In 1858, eleven years after Father Point was recalled, it was determined by the Catholic authorities to build a permanent mission among the Blackfeet. Father Hoecken was chosen for this work. He came west in the spring of 1859 and spent that summer traveling over the country with a friendly band of the tribe, in search of a suitable site for the future mission. That which he finally selected was near the modern town of Choteau on the Teton river. There Father Hoecken and his assistant, Brother Magri, built three log cabins. In the autumn they were joined by Father Imoda.

The task of choosing a mission site seems to have been difficult. On March 13, 1860, the priests moved to the Sun river. In August of the same year that location was in turn abandoned.

In 1861, Father Giorda, Father Imoda and Brother Francis De Kock were sent to the Blackfoot country. They wintered at Fort Benton, improving the time by studying the Blackfoot language, discharging their religious duties and exploring the neighboring country for a suitable place for the church. A third site was chosen on the Marias river but the results were as unsatisfactory as before. The Indians disliked the locality for some reason, and declined to camp there. Accordingly for the fourth time the mission, which had been

named St. Peter's, was moved on February 14, 1862, to a favorable spot just above the mouth of Sun river, where Fort Shaw now stands.

In 1864 Father Ravalli, the apostle of the Selish, and Father Francis X. Kuppens joined the little missionary band at St. Peter's. The winter of 1865 settled cold and cruel over the land. Blizzards raged and for long periods the cold was intense. Just at this time crowds of prospectors were struggling blindly towards the Sun river country in search of gold. Their suffering and privations were terrible. The doors of St. Peter's were thrown open to these unfortunate men and Father Ravalli, who, as we have seen, was a physician, ministered with skill and kindness to their needs.

This killing winter had followed a parched, dry summer. All crops on the little patches of cultivated land near the mission were destroyed. Indians and whites alike became discouraged and therefore by common accord St. Peter's was moved to its present location "on the east side and at the foot of the Bird Trail Divide."

The influx of the whites excited the hostility of the Blackfeet more than that of the less vindictive western tribes. Hot-blooded young braves harassed immigrant trains, stole horses, and occasionally murdered. It cannot be said that the white prospectors and settlers were more friendly to the Indians than the Indians were to them. Total lack of fairness and judgment on both sides characterized these forays. Some depredation committed by bad Indians was punished by outrages against innocent ones and for such deeds of gross injustice on the part of criminal white men, blameless Anglo-Saxons were sacrificed to satisfy the vengeance of the Blackfeet. One act of hostility begot another until during the years of 1869-70 raged the "Piegan War," which culminated on January 23, 1870, when Colonel Baker and his men did battle with the Indians on the Marias river.

On account of this deplorable warfare, the position of the priests at St. Peter's became one of positive danger. Therefore the Gen-

<sup>10</sup> Presbyterian Church History by Rev. George Edwards. Montana Historical Society Contributions, Vol. VI, pp. 290, 291, 292.



eral Superior, Father Giorda, ordered them to the more pacific western nations. This occurred in April, 1866.

St. Peter's now became a dependency of the newly established Mission at Helena. The duty of visiting it at intervals was assigned to Father C. Imoda. For two years the fate of St. Peter's trembled in the balance. At the end of that time it was determined that it should continue only as an offshoot of the more prosperous church in Helena. Father Imoda, who had always been interested in the Blackfeet and had become proficient in their language during his residence with them, earnestly advocated the reopening of the mission. He prevailed at last and in the spring of 1874 he was sent to officiate at its deserted shrine. With him were two assistants, Brothers Francis De Kock and L. D'Agostino. In July a new recruit came to join them, Father Philip Rappagliosi. This picturesque and pathetic young character deserves more than passing attention. He was born in Rome on September 14th, 1848, and entered the Society of Jesus while very young. At the age of thirty he was ordained priest and almost immediately was sent to the Rocky Mountains. In 1873 he went to St. Mary's Mission where he remained until he was transferred to St. Peter's. The salvation of the recreant Blackfeet became the dream of the young priest's life. He was an idealist, spiritual to the point of asceticism and entirely devoted to the cause for which he ultimately laid down his life. As he was great of spirit he was correspondingly frail of body. His pictures show the deep-set, melancholy eyes of the mystic, peering wistfully out of the pale, oval face, which tells too plainly of an early passing. His health broke under relentless fasts and rigorous hardships and he faded away and died on February 7, 1878, in the cabin of a half-breed on Milk river.

Major R. C. Walker, U. S. A., wrote of him:

"The many sacrifices in the short life of this young priest, from the day he left a loving father and mother to the self-abnegation and

compulsory fasts among the Indians of the Rocky Mountains, would make an offering so acceptable in the sight of God that few would have the grace to emulate it, and so pure that the comprehension of the selfish worldling would fail to scan its least ungarnished worth."

In spite of many vicissitudes and fluctuations of fortune St. Peter's Mission has endured through the years. Many converts to the Catholic faith have been made through the efforts of its priests, but how far its influence has extended is a question, for each year at mid-summer the Blackfeet build the medicine lodge and perform the ancient rites of the Sun Dance, a beautiful and impressive pagan ceremony.

From St. Peter's two other religious establishments grew up; one, the Holy Family Mission, the other the Mission of St. Paul. The first named was founded by Father P. Prando on Birch creek, near the borders of the Blackfoot reservation, but was later removed to Two Medicine creek. A school for boys and girls has also been founded in connection with this mission.

St. Paul's Mission, situated in the Little Rockies, among the Gros Ventres of the Plains and the Assiniboines was founded in 1885 by Father Eberschweiler. These Indians had been visited by Father De Smet and Father Point and subsequently by other missionary priests. Their interest in the teachings of the church induced the latter to build a permanent mission and school for their benefit. Father Eberschweiler secured temporary quarters at Fort Belknap, where he spent the winters of 1885-6. He improved the time by studying the Assiniboine language and caring for the spiritual welfare of his charges.

During the next spring the mission site was chosen. It was a spot dear to the Indians, favored by nature and suitable for such an establishment,—situated on People's creek, "a stream of sweet clear water, which has its source up in the mountains and running through the valley below, empties into the Milk river near Fort Browning."

The mission has grown and prospered and

is today an active influence for the betterment of the Indians.

In eastern Montana, about 75 miles south of Miles City on the banks of Tongue river and near the mouth of Otter creek is the Mission of St. Labre. This institution is the center of a group of about one thousand northern Cheyennes who still live in their beloved haunts of the old buffalo days,—along the Upper Tongue river.

Father De Smet visited them and first spoke to them of the religion of the white man but after his departure they were left to their own devices until 1882. At that time Father P. Barceló went amongst them and remained for several months. No permanent mission could be established there for lack of priests. However, when Right Rev. J. B. Brondel took charge of the Catholic church in Montana in 1883, he at once took steps to establish a mission for the Cheyennes. His efforts were successful and in response to his appeal Rev. Joseph Eyler and six Ursuline nuns journeyed westward from Toledo, Ohio, and arrived at Miles City on January 17, 1884.

The Cheyennes were a people of sorrows. In 1885 they were summarily ordered to leave their old home on the Tongue river and settle on a reservation set aside for them along Lame Deer and Muddy creeks. They refused to go. Their assertion of independence brought suffering upon them. The Tongue river country was fine range-land and it was therefore desired by the cattle kings. Consequently, the Indians were annoyed by cowboys in the employ of the big "outfits." There was also a shortage of rations and as the buffalo were gone, some of the Cheyennes starved.

In their bitter need they were befriended by Bishop Brondel, who visited them in 1884-1885. He relieved their immediate wants and through his efforts, Governor Samuel Hauser, then governor of Montana, took up the question of their destitute condition with the authorities at Washington who saw that they were provided with sufficient food.

The Cheyennes are a superior nation of good morals and cleanly habits. Their few depre-

dations, such as killing an occasional steer, have been the very human result of starvation. Like their more northern brethern, the Blackfeet, they have been slow to abandon the gods of their fathers. The explanation offered by some of them to the missionaries for the lack of faith was:

"We are starving, and the howling of hunger within us deafens our ears to thy voice."

Some of those who have lived with the Cheyennes assert that they are more poetical and eloquent than the other mountain tribes.

Old Wolf, one of the leading chiefs, who had been converted, addressed the following speech of welcome to Bishop Brondel on one of his visits to the mission:

"There is a mountain in this vicinity, known by every Cheyenne. The mountain is high and strong and many years old. Our forefathers knew him as well as we do. When children, we went out hunting and cared not whether we knew or not the way. When men, we went out to meet our foes, no matter where they came from. Though the way ran high up and low down, our hearts trembled not on account of the road; because that mountain was ever a safe guide to us and never failed us. When far away, on seeing him our hearts leaped for joy because the mountain was the beacon which told us that our home came nearer. In summer the thunder shook him from head to foot and fire bored holes in his sides, but the noise passed soon away and the mountain stood there. In winter the storms rushed around him to bury him out of our sight and covered him with layer upon layer of snow; with difficulty could we distinguish him from the rest. Only his height told us he was our mountain. But during the spring all the snow disappeared and the mountain, clothed with green grass, stood before us as of yore and the trees upon him stood firmer. This mountain is the priest of God. White and Indian speak evil of him; they want to estrange him from our hearts, but we know he has but one word and that his heart is as firm as a rock. He comes to instruct us, and what the mountain is in our journeys, that is

his word. He is the mountain that leads us to God." <sup>11</sup>

The Mission of St. Labre has continued, like St. Peter's, in spite of many difficulties and small encouragement. The ensuing account of the church and school is taken from the report of the U. S. Indian Agent, R. L. Upshaw, for the year 1887. He says in part:

"The only school connected with this agency is the St. Labre boarding school on the Tongue river, a contract school, being in charge of the Sisters of the Ursuline Order. The school building is a very good one, erected at a cost of \$7,000. It has a capacity for fifty boarders and twenty day pupils, the attendance has been an average of thirty-five for the year, boarders, boys and girls. The pupils are making fair progress; great obstacles have been overcome, the Sisters are gaining the confidence of the parents and children; Indian prejudices are being broken down and the way made easier every day; but the obstacles in the way of bringing these savages to light are still very great. The school is in most excellent hands and deserves every encouragement. The Sisters make sacrifices seldom made without prospect of great and immediate reward. The major part of theirs will not be realized until death shall have claimed them. The religious instruction of these Indians, aside from that given at the St. Labre school, is given by the Rev. A. Van der Velden, S. J., who devotes himself to his duties with the ardor characteristic of his society, in drawing these people from their barbarism. The encouragement he has met with, if measured with the tangible evidences of success, is very poor, but his persistence in his holy duties must in time have its effect, even upon the benighted and perverse savages he has to deal with. \* \* \* A semi-civilized savage, copying all the vices of his white neighbors, will be a worse citizen than the barbarian pure and simple."

The Crows, Absaroka or *Beaux Hommes* of the Chevalier de la Vérendrye, were in the early days a nation renowned for physical

beauty and moral iniquity. Though they are still the most populous tribe in southern Montana they have degenerated in number and also in physique. Fifty years ago they were estimated to number five thousand souls; in 1887 they had decreased to 2,456. Their reservation lies along the Yellowstone river, in the Big Horn Valley within the limits of Custer county.

The Crows were visited in 1840 by Father De Smet. He says of them:

"This race is one of the noblest in the desert; they are tall, robust and well formed; have a piercing eye, aquiline nose and teeth of ivory whiteness."

From the day of Father De Smet to 1880, the Crows did not come in contact with missionary priests. However, in that year, Father P. Barceló went to them and found them willing to listen to his teachings. He made frequent trips to the reservation and the Indians were so favorably disposed that it seemed worth while to found a mission among them. Father Barceló was unable to endure the hardships of this trying life and in 1886 his work was taken up by Father U. Grassi and Father P. Prando. These two fathers were instructed to select a place upon which to build the mission of the Crows. Their choice was a happy one for sentimental and other reasons. From the site of the future church one could look southward to the Big Horn Range, those "Shining Mountains" upon which the adventurous young Chevalier de la Vérendrye first gazed; to the north, toward Fort Custer, the prairie billows away to the rim of the sky. Close by is a pleasant stream, called Rotten Grass, that empties into the Big Horn river. Not far distant is the fateful Custer battlefield.

In February, 1887, Father Prando and two companions pitched a tent there and thus the Mission, called St. Xavier's, was begun. The building for a school was commenced in the spring and completed in the early autumn,—when a company of Ursuline nuns came to act in the capacity of teachers. The Sisters entered into their new duties under dramatic

<sup>11</sup> Indian and White in the Northwest by L. B. Palladino, Chap. XXX, p. 210.  
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conditions. There was an uprising among the Crows. One of their medicine men, who was called the Sword Bearer, because of an ancient sword which was his "great medicine," had greatly excited the people. He claimed that by means of this sword and some "magical" dust he could drive the invading white men from the face of the land.

This was no doubt an offshoot of that wonderful "Ghost Dance Movement," which swept from tribe to tribe among the American Indians, and spread from the home of the Prophet Wovoka, at the foot of the Sierras, through the length and breadth of the country.

Troops had been summoned from Fort Custer and a battle seemed imminent. Father Palladino describes the exciting episode, thus:

"The same evening that the Sisters, with one of the Fathers as their escort, arrived at the agency, the Indians, saucy and insolent, made hostile demonstration, and, led by the medicine-man, marched around the premises in battle array and armed to the teeth.

"Toward dusk they seemed to grow bolder and more insolent and fired several shots into the government buildings, terrifying the employes and their families, but happily injuring no one. They made no other attack, though they kept up their war whoops and savage yells all through the night. The next morning the surrounding hills were thick with armed Crows, while the government troops, four companies of cavalry, were drawn up in front ready for the fray. The soldiers had orders not to fire the first shot. The Father and Sisters were entreated by the agency people not to start for the Mission, as a part of their road lay just between the two forces, who at any moment were expected to be engaged in a desperate conflict, both sides only waiting for the first shot from the other."

In spite of the threatened hostilities one of the Fathers and the Ursuline nuns passed between the lines, and having been joined by a voluntary escort of Crows, proceeded, unharmed, to their Mission, twenty-three miles distant.

Soon after, a Crow scout shot and killed the

Sword-Bearer. He fell despite that magic dust which "could strike stone blind all the white foes" and the medicine sword which could "knock down every horseman, both rider and horse, at one blow," and with his death the frenzied hope of the Indians for a Messiah of their own race, was shattered forever.

Although the Mission of St. Xavier was opened at a time of confusion and discord, its subsequent history has been peaceable and prosperous. A second chapel was erected on Pryor creek shortly after the establishment of the original Mission. Later on a third church was built near the Crow agency for the benefit of the Indians living at the agency and on Little Horn and Lodge Grass creeks. The old frame structure of the first school has been supplanted by a brick building which will accommodate 240 pupils.

Father Palladino, in summing up the subject of Indian Missions, in his "Indian and White in the Northwest," says:

"There are today in Montana, as so many offshoots sprung from little St. Mary's, nine Indian Missions, counting dependencies, and nine schools, including the kindergarten, with an aggregate number of some 7,000 Catholic Indians, 1,000 of these being boys and girls in actual attendance at school. This is out of a total population of 11,070, as gathered from the reports of the Indian Office, or 10,336, as given by the official census in 1890.

The members of the Society of Jesus engaged in school and mission duty number eighteen Fathers, eight Scholastics and twelve Coadjutor Brothers, who are ably and efficiently assisted in the educational part of the work by fourteen Sisters of the Order of Providence and some sixty Ursuline nuns."

One cannot take leave of the Missions of the Northwest without looking back upon Father De Smet, their founder. Through his heroism and devotion Missions grew up among many different nations, from the Rocky Mountain country to the Western Coast. He who lived most of his mature life either in the wilderness or laboring elsewhere for what he

believed to be the salvation of its benighted children, died at last at St. Louis after reminiscent and retrospective years spent in recording his travels and his triumphs.

Beyond doubt the early missionaries brought with them the leaven of gentleness into a savage land, their influence restrained immorality and crime not only in the Indians but in the more vicious fur-traders, half-breeds, prospectors and adventurers who flooded the country at the discovery of gold.

As for the actual conversion of the Indians, that is another matter. There are some subtle

questions crying out of the silence which are not to be pushed back unspoken, even though we can find no answer to their riddle. How far have the missionaries succeeded? If completely, why does the Christian Indian still dance to the Sun?

As the red has been burnt by the sunshine of ages into the Indian's skin, the sun-worship of his fathers has been ineradicably branded in his heart. The Oriental is under the spell of the Moon, and the American Indian, in spite of every alien influence, is still under the spell of the Sun.

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## CHAPTER X

### THE DISCOVERY OF GOLD—SOME FAMOUS PROSPECTING PARTIES --THE EARLY MINING CAMPS

We now come to the second great epoch in Montana's history—the discovery of gold. This tremendous event came about quite by accident and in its circumstances was not unlike the finding of that precious metal in California by James W. Marshall in 1848. To François Finlay, known as "Benetsee," a mixed-blood of Scotch and Indian antecedents, probably belongs the honor of the first discovery of gold within this state. Finlay was an itinerant trader among various tribes from British Columbia to California. He dealt in "trinkets, beads, fancy colored cloths, powder and lead and very probably whiskey and rum" which he exchanged for furs and buffalo robes. The trade seems to have been profitable in Finlay's case as in most others, for it is said that he acquired a large herd of horses in California which he brought with him to the Rocky Mountains.

Having thus become somewhat independent he chose for a home a pleasant spot in old Deer Lodge county, where he went to live sometime prior to 1850. His place was located on "Benetsee Creek," afterwards known to fame as Gold creek. In this quiet retreat Finlay felt safe from the raids of the Blackfeet and with his ranch as a base of operations he industriously carried on his trade to the coast. After one of these trips to auriferous California, Finlay came home infected with the "gold fever" which had raged around him in the camps of the West. This was in 1852. He looked about him over his own adopted land and was "impressed with the remarkable resemblance, not only of the country in general but particularly of the gravel and sand bars along Gold creek, to

those he had seen gold washed from in California." Finlay at once set to work. He obtained a pan and washed the gravel as he had seen it done by placer miners. At last, after some perseverance and many efforts, he found fine particles of something which resembled gold. He continued his work, without quick-silver, and under many difficulties, until he had accumulated "about a teaspoonful" of the yellow metal. Finlay took this sample to Angus McDonald, chief factor of the Hudson's Bay Company, at the post which was about twenty miles south of Flat-head lake. McDonald was not an expert miner but he believed the yellow dust to be gold, purchased it and sent it to one of the company's posts to be passed upon. It proved to be a fine quality of gold.

Angus McDonald backed Finlay to the extent of furnishing him a month's provisions and such tools as could be procured; in other words, to use the expressive western vernacular, he "grub-staked" the prospector who, in turn was to deliver the fruits of his toil to McDonald. The gold dust thus procured was about two ounces. Finlay was a better trader than a miner and McDonald did not consider the discovery of sufficient importance to pursue. Moreover, the Hudson's Bay Company discouraged the development of mining in that section.

Major John Owen of Fort Owen also heard of the find of gold about this time but he, too, considered it a mere passing excitement and thought of it no more. Further development was dropped for several years.

There are three different accounts of the original gold discovery in Montana. We shall



consider each of these and also later information which sheds additional light on some of the facts. The first account is from the pen of Granville Stuart, one of the famous Stuart brothers, who were first to proclaim the riches of this new field to the world. Mr. Stuart says:

"As the discovery of gold was the cause of our Territory being created, it is proper to give a brief sketch of that, to us, important event: In 1852 a Scotch half-breed from the Red River of the North, named François Finlay, but who was known among his associates by the name of 'Benetsee,' and who had just returned from California to the Rocky Mountains, began to prospect on what is now Gold creek, in Deer Lodge county, and found light, float gold; but as his prospecting was necessarily of a very superficial character, he found no mines that would pay. The fact of gold being found there, however, became noised about among the few mountaineers still in the country, and in the spring of 1856 a party, among whom were Robert Hereford, late of Helena, John Saunders, called 'Long John,' (who could throw a stone with almost the force and precision of a rifle ball,) Bill Madison and one or two others who were passing 'Benetsee' creek on their way to Salt Lake from the Bitter Root Valley, where they had spent the winter trading with the Indians, and prospecting a little, found more gold than had been obtained by Finlay. One piece weighed about ten cents and they gave it to old Captain Grant, who used to show it, up to the time of his death in 1862, as the first piece of gold found in the country. The matter rested here until the spring of 1858, when Thomas Adams (now of Washington City,) Reece Anderson and James and Granville Stuart searched for gold in that vicinity and found as high as ten cents to the pan of gravel, but as they had neither provisions, (they were living on wild meat straight, without salt,) nor tools, they could not accomplish anything, more especially as the Blackfeet stole four of their horses and so harassed them that they abandoned the country for a time, returning,

however, in the fall of 1860 firm in the faith that this was a rich gold country. In the meantime, during the summer of 1860, a mining enthusiast by the name of Henry Thomas (but who, as soon as his peculiarities became known, was designed 'Gold Tom,' by which he ever afterwards went,) came up by the way of the Pend d'Oreille lake and began to prospect on Benetsee creek about one mile west of where Pioneer City now stands. Almost unaided he sunk a shaft 30 feet deep in the glacial detritus along the creek, getting a little gold all the way down. He also washed some of the surface at this point during this and the following summer, but only made about \$1.50 a day, owing to the great disadvantage under which he worked. His windlass and four little sluice boxes, hewed out with an axe and now fast falling to decay, may still be seen where he worked. Alas! poor Tom! The writer lost sight of him in '66 or '67 and often wonders if he fell a victim to the ignis fatui of Coeur d'Alene, Peace river, Stickeen, Cassiar, White Pine, Pioche, Yellowstone, and last, but not least, the Black Hills, and wherever he may be, may Fortune smile upon him with a broader grin than fell to the lot of any of the pioneers at 'Pioneer Creek' in 1860-1-2. He usually preferred to be alone and would spend his days and weeks among the mountains without other companions than his horse and trusty rifle; yet he was not at all misanthropic. In the fall of 1860 and spring of 1861 Anderson and the Stuarts prospected in the dry gulches putting into Benetsee creek and found what they considered good paying mines but did little toward working them that season for two reasons: First, they had very few and imperfect tools and no lumber until they could get it whipsawed; second, all the party except the writer went to Fort Benton for the purpose of purchasing supplies from the steamboats expected up the river that year. The one boat, the Chippeway, that started up was burned near the mouth of Milk River, and the summer was lost in waiting for her. On this boat were the Hons. Wm. Graham, of Philipsburg,



JAMES STUART

and Frank L. Worden, of Missoula. Early in the spring of 1862, the Stuarts, Adams, Burr and Powell began to mine, having had lumber sawed by hand at ten cents a foot, and picks and shovels packed up from Walla Walla, 425 miles distant, by Worden and Higgin's train of 'cayuse' pack horses that brought their goods to Hell Gate, and on the 8th day of May they set the first string of sluices ever used in Montana and began to mine by the old pick and shovel process.

"In '61 the Stuarts had written to their brother Thomas, who was in Colorado Territory, to come out here, as they thought this a better and richer country than that, which opinion, by the way, they have seen no reason to change and still adhere to. Thomas showed the letters to many friends of his and the result was that quite a number left there in the spring of '62 for Deer Lodge. The first of these, a party of twelve, arrived at Pioneer about the 20th of June, and among them was J. M. Bozeman, who was murdered by the Indians on the Yellowstone in 1867 and after whom the flourishing town of Bozeman in the Gallatin valley was named. The party found good prospects in a branch of Benetsee or Gold creek as it now began to be called, which branch took the name of Pike's Peak gulch from the fact of the discoverers being from Pike's Peak, as Colorado was then generally called. Other parties also began to straggle in from Pike's Peak and Utah, and about the 29th of June, Sam'l T. Hauser, Frank Louthan and — Alt arrived, being the advance guard of a number who came up on the steamer from St. Louis, and who were on their way to Florence, in the Salmon river mines, not having heard of the discoveries at Gold creek, where, however, many of them stopped and are now among the oldest and most respected citizens.

"But to return to those who came up the Missouri river. About the middle of July one of this party named Hurlbut (against whom a slight prejudice existed because his partner was a big negro, with whom he ate and slept) discovered the Prickly Pear dig-

gings where the town of Montana was afterwards built; another party led by John W. Powell discovered the 'Old Bar' on North Boulder, and almost simultaneously the mines at Bannack City were struck by John White and party, and the diggings on the head of the North Fork of Big Hole river by Jack Slack and party. The mines on Willard's creek, (which was named Grasshopper creek by many who knew not the name given it by Lewis and Clarke in 1805,) proved the richest of any of the first discoveries, and Bannack City (or East Bannack as it was soon called to distinguish it from another Bannack City, that sprung up about the same time in Boise Basin, and which, for the same reason, was called West Bannack) soon overshadowed the other incipient cities, and during the winter of 1862 had a population of some 400 souls and became the center of the population, wealth, and beauty of the country, although it was then in Dakota, while Deer Lodge was in Washington Territory."

Lieutenant Bradley, the historian of early Montana and old Fort Benton, writing in 1875 from Fort Shaw gave a different version of the discovery of gold; different, however, in aspect rather than fact, when the whole story is understood. It is in part as follows:

"In the month of October (1856) a stranger appeared at the Fort, coming by the trail from the southwest, now the Benton and Helena stage road. He was evidently an old mountaineer, and his object was to purchase supplies. Producing a sack, he displayed a quantity of yellow dust which he claimed was gold, and for which he demanded \$1,000, offering to take it all in goods. Nothing was known at the Fort of the existence of gold in the adjoining country, and Major Culbertson was loth to accept the proffered dust, having doubt of its genuineness. Besides, even if gold, he was uncertain of its value in this crude state, and he was, therefore, about to decline it, when an employee of the Fort, a young man named Ray, came to the aid of the mountaineer, and by his assurances as to the genuineness of the gold and the value of the



quantity offered, induced Major Culbertson to accept it. Still doubtful, however, he made it a private transaction, charging the goods to his own account. The mountaineer was very reticent as to the locality where he obtained his gold, but in answer to numerous questions he stated that he had been engaged in prospecting for a considerable period in the mountains to the southwest, that his wanderings were made alone, and that he had found plenty of gold. Receiving in exchange for his dust a supply of horses, arms, ammunition, blankets, tobacco, provisions and other supplies, he quietly left the Fort on his return to the mountains.

"Major Culbertson never saw or heard of him afterward, and was ignorant even of his name. The following year, 1857, he sent the gold dust through the hands of Mr. Chouteau, to the mint, and in due time received as the yield thereof \$1,525, the dust having proved to be remarkably pure gold.

"Thus as early as 1857, three years before Gold Tom hewed out his rude sluice boxes on Gold creek, Montana gold had found its way to the mint, and contributed a small fortune of shining pieces to the circulating medium of the country.

"This much I obtained from the lips of Major Culbertson—just enough to pique curiosity; and the mysterious miner who had been the first to work the rich gulches of Montana, made the earliest contribution to the world of its mineral treasure, and whose subsequent fate and very name were unknown, often returned to my thoughts to vex me in my apparent powerlessness to lift any part of the veil of mystery that shrouded him. But one day I mentioned the circumstance to Mr. Mercure, an old and respected citizen of Fort Benton, who came to the Territory in the interest of the American Fur Company in 1855. To my great satisfaction he remembered the old mountaineer, the event of his golden visit to the Fort having created quite an enduring impression. When Montana's great mining rush began, Mr. Mercure quitted the service of the Fur Company and sought

the mines. There he met the mountaineer again and immediately recognized him. His name was Silverthorn, and his habits were still of the solitary character that had distinguished him in former days. For several years he remained in the Territory, occasionally appearing at the settlements, with gold in abundance, but after supplying his necessities by trade, he would again disappear on his lonely rambles. He could not be induced to divulge the secret of his diggings, but always declared that his mine was not a rich one, yielding him only four or five dollars a day. Mr. Mercure believes, however, from the quantity of gold always in the possession of Silverthorn, that he greatly understated the value of his discovery."

This John Silverthorn was not such a romantic nor mysterious an individual as Lieutenant Bradley believed him to be. He was employed by Major Owen at the fort of the same name and is referred to by Judge Frank H. Woody and other early pioneers. Silverthorn, himself, apparently laid no claim to the original discovery of gold, for the following narrative was obtained from him personally, by W. F. Wheeler, a former librarian of the Montana Historical Society:

"In 1858, John Silverthorn, an employee of Major Owen, and who had charge of his pack trains, while on his way from Fort Owen to Fort Benton, carrying with him fine furs, skins and robes, purchased from the Indians which were to be shipped from Fort Benton down the Missouri River, to the eastern market, happened to camp over night at Benetsee's or Gold Creek. Silverthorn and Finlay were old acquaintances. Finlay wanted tobacco and a few supplies which he knew Silverthorn always carried, and as he had no money, offered in exchange for the articles a quantity of yellow dust which he said Mr. McDonald had informed him was gold, and which Silverthorn hesitatingly took in exchange for about ten dollars worth of such supplies as Finlay needed. Arrived at Fort Benton Silverthorn showed the dust to Major Culbertson, then the agent of the American

Fur Company, and finally sold it to him for twelve dollars in trade. Major Culbertson shipped the yellow stuff to St. Louis, Missouri, describing what he believed it to be, from whence it came, and the sum he had paid for it. At St. Louis it was properly assayed and pronounced to be worth fifteen dollars."

However Silverthorn may have obtained the dust, Major Culbertson was deeply impressed and charged all the employees of Pratte, Chouteau and Company to look for gold on the headwaters of the Missouri, but their search bore no fruit of which we have knowledge. Near the discoveries on Gold creek the town of La Barge City, afterwards called Deer Lodge, was built.

The third story of the finding of gold is from Senator W. A. Clark. In his historical address, delivered at the Centennial Celebration at Philadelphia, in 1876, he spoke thus of the earliest mining in Montana:

"In July, 1861, the first gold was discovered on Salmon River, by John J. Healy and George Grigsby. This discovery, in paying quantities attracted thither from Colorado and other Territories a large immigration. Some of these found their way into the Gold creek country, in the summer of 1862, and others going up the Missouri, en-route for the Salmon River and Florence diggings, stopped at Gold Creek to prospect in the adjacent gulches. During this summer a small party discovered some mines on Big Hole River of limited extent. A party of Coloradoans, among them Dr. Leavitt, had attempted the route to the Florence mines, by the way of Lemhi valley, and were forced to abandon it by reason of precipitous mountains, and were, by favorable reports, led to Deer Lodge valley as a desirable wintering place. This point they reached in July, 1862. While there two horsemen came in from Lemhi and reported the existence of Grasshopper creek, near where Bannack now stands. They were provided with supplies and urged to return and prospect the gulch and report. This they proceeded to do, and returning with the news met the impatient party moving towards the place.

Augmented by other parties joining them, they proceeded to the discovery which had been made by John White on the 28th day of July, 1862, and in honor of the discoverer named White's Bar. Soon afterward other bars were found which were exceedingly rich. The gulch itself was then opened and mining began in good earnest. In the autumn a train was dispatched to Salt Lake City for provisions, the town of Bannack was laid out, and by the 1st of January, 1863, a population of 500 souls had gathered there, and among them some of the wildest and most reckless adventurers, whose names and misdeeds figure conspicuously in the early history of the Territory.

"Thus began the first important mining operations in Montana. The fame of these diggings soon spread with almost lightning rapidity through the Territories and Pacific states and occasioned a large immigration the ensuing spring and summer.

"Grasshopper gulch and bars have since yielded continuously, and added to the world's wealth several millions of gold. In May, 1863, mines of considerable extent were discovered on Horse Prairie Creek, thirty miles southwest from Bannack. On the first of February, of that year, William Fairweather and others left Bannack to prospect the Big Horn mountains. They were driven back by the Crow Indians on the Gallatin river. Returning homeward, the party camped at noon on Alder creek, eighty miles east from Bannack, and while the mid-day meal was preparing Fairweather washed a few panfuls of gravel near the camp, and to his great surprise obtained thirty cents in the first, and as much as two dollars in subsequent pans. One of the party was sent to Bannack to carry the news to friends and return with provisions. Such intelligence could with difficulty be confided to few and became generally circulated. A great many rushed to the scene of discovery, and on the 6th day of June, Fairweather district was organized, with Dr. Steele as president and James Fergus as recorder, and mining began in this famous gulch which, it is estimated, has yielded since its discovery

sixty millions of gold, and half of this amount in the first three years of its working. It was industriously worked for a distance of fifteen miles.

"Virginia City was built in this gulch. It was for several years the commercial and political capital of the territory, and in its palmiest days of 1864-5 had a population of 10,000 people, and although the seat of government has since been transferred to Helena, it yet commands a large trade from southern Montana, and is an active and prosperous city. At this place, in August, 1875, near the wild spot where twelve years before the hidden treasure was first revealed by him, William Fairweather was laid down to his rest. Like the unfortunate discoverer of the Comstock lode, whose bones also repose in Montana, this erratic soul stranded on the shoals of dissipation, although each in his day had turned a key, the one silver and the other golden, which unlocked millions to others.

"The next important discoveries of gold were made by John Cowan, in the fall of 1864, at Last Chance gulch, where Helena now stands, 125 miles north of Virginia City, and by other parties of Silver Bow and German gulch, west of the Rocky Mountains, at the head of Deer Lodge valley. Last Chance gulch and its tributaries sprang at once into notoriety on account of their richness. Helena grew rapidly in population and became the chief city in commercial importance, a position which it has pre-eminently maintained. To this place the seat of government was removed in 1874. A government assay office and many handsome public and private buildings have been erected there,

"The distance from this point to the head of navigation at Fort Benton, on the Missouri river is only 140 miles, over an easy road. The winter and spring succeeding the discoveries last named were noted for the finding of other auriferous gulches, notably the following: Confederate, eastwardly from Helena and beyond the Missouri river; Ophir gulch, west of the range and thirty miles from Helena, and likewise numerous small

gulches contiguous to those named, some of which were marvelously rich. In the fall of 1866 a four-mule team hauled to Fort Benton, for transportation down the river, two and one-half millions of dollars, nearly all of which was taken out at Montana Bar and vicinity, near Confederate gulch.

"The spring of 1865 opened propitiously. Mines of great richness had been found extending throughout a region of 150 miles in length, and about 100 miles in width, and immigration came pouring in from all directions. The year following was likewise important in discovery and actual operations. Elk Creek, Bear, Lincoln and Highland gulches, in Deer Lodge county, New York gulch and Montana bar in Meagher county, began their contributions to the mints. In 1869 the auriferous belt was further extended by the discovery of Cedar Creek, a rich mining region in the Coeur d'Alene mountains, in Missoula county, 175 miles westward from Helena, and at Nine Mile, in the same country, diggings of considerable promise were found in 1874."

Alder Gulch is believed to have contained the "richest placer diggings ever discovered in the world."

Already Montana was entering upon a new era. The slow, resistless, inevitable tide of immigration had started westward. And among the adventurers, were not only those bound for California, who crossed the Rockies by the South Pass, but others whose expressive, if inelegant motto was "Pike's Peak or bust!" The term Pike's Peak at that time applied to all the present state of Colorado. Many of the "Pike's Peakers," like their confrères who had journeyed on to the coast were disappointed. Meantime, the rumor of new gold fields toward the mysterious north reached their willing ears. These adventurous spirits, unattached and roving, very naturally turned their faces thither. "The stream of emigration diverged from the halting-place where this last welcome intelligence reached them. Some, turning toward Deer Lodge, crossed the mountains, between Fort



Lemhi and Horse Prairie creek, and taking a cut-off to the left, endeavored to strike the old trail from Salt Lake to Bitter Root and Deer Lodge Valleys. These energetic miners crossed the Grasshopper creek, below the Cañon, and finding good prospects there, some of the party remained, with a view of practically testing their value. Others went on to Deer Lodge; but finding that the diggings were neither so rich nor so extensive as they had supposed, they returned to Grasshopper creek, afterwards known as the Beaver Head Diggings—so named from the Beaver Head River, into which the creek empties."

Bannack, named for the Indians who abounded there, was the outgrowth of "Grasshopper Diggings" and was the first capital of Montana. The diggings were discovered by John White, July, 1862. Soon after a party headed by George Washington Stapleton arrived. Amongst these were Samuel T. Hauser, N. P. Langford, James Fergus and many other prominent men.

The first important prospecting party was that which set out on April 9, 1863, from Bannack City under the leadership of James Stuart. This expedition was divided into two parts. One, organized into a "company," elected James Stuart captain. It was composed of James Stuart, Cyrus D. Watkins, John Vanderbilt, James N. York, Richard McCafferty, James Hauxhurst, Drewyer Underwood, Samuel T. Hauser, Henry A. Bell, William Roach, A. Sterne Blake, George H. Smith, Henry T. Gerry, Ephraim Bostwick and George Ives.

The second section was delayed on account of difficulty in finding the horses. It was agreed, accordingly, that the first part of the little command should proceed to the mouth of the Stinking Water, where they would wait for their fellows.

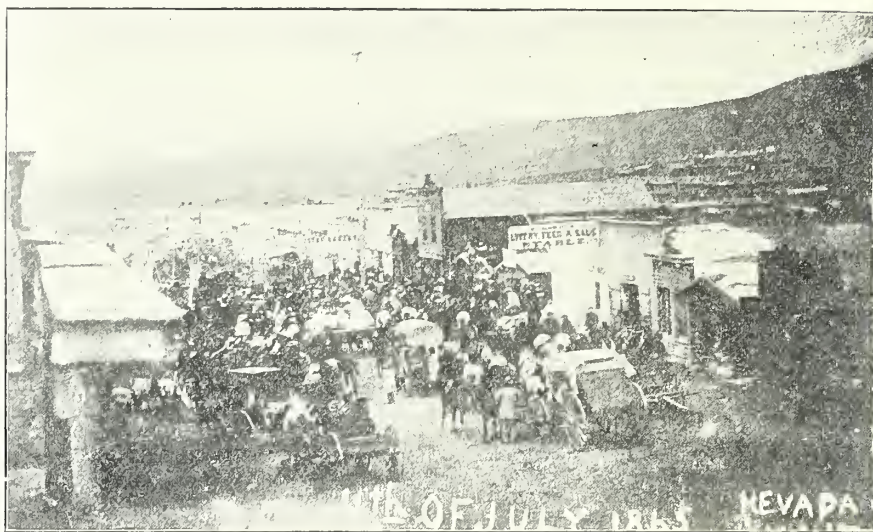
The personnel of the second branch was as follows: Louis Simmons, William Fairweather, George Orr, Thomas Cover, Barney Hughes and Henry Edger.

The company under Stuart, reached the

rendezvous, their companions failed to appear, and they proceeded up the Yellowstone on a journey which proved to be one of the most thrilling of early days.

Meantime, the second party had been detained by serious misadventure. Delayed beyond their expectations in starting, they reached the mouth of the Stinking Water several days after the main body of the expedition had given them up and pushed on. Following hot upon the trail of the leaders, they hoped soon to overtake and join them. This they should probably have done without difficulty had they not run into a band of pillaging Crows on the upper Yellowstone. These rascally Indians helped themselves to the stores of the white men, confiscated their horses, giving them sore-backed and exhausted "cayuses" in exchange, and ordered them upon penalty of death to return whence they had come. This apparent misfortune proved to be the proverbial blessing in disguise.

They had no alternative but to comply, though they did so reluctantly and with the greatest apprehension for the safety of their companions. On their return journey to Bannack City "they went one day's travel up the Madison river above where they had struck it as they went out, and crossing through a low gap at the southwest they camped at noon on a small creek. While his comrades were cooking a scanty meal, Fairweather, on going out to look after the few broken-down ponies the Indians had given in compulsory exchange for their good horses, observed a point of bare bed rock projecting from the side of the gulch, and determined to try a pan of dirt. He was astonished by obtaining thirty cents in beautiful coarse gold, and in a few more trials he got one dollar and seventy-five cents to the pan. This was at the point afterward famous as Fairweather's discovery claim in Alder gulch. Believing the locality would prove rich, they proceeded to stake off claims, and Hughes was sent to Bannack for provisions and friends; and on his arrival there, in spite of his efforts to keep the matter



ALDER GULCH

a secret, it became known that rich diggings had been struck somewhere, and a close watch was kept on Hughes, and when he started he was followed by some two hundred men. About the present site of Daley's ranch, on the Stinking Water, Hughes refused to go farther until morning, and the party encamped; but during the night he appointed a rendezvous for his particular friends, whom he escorted into the mines in the night. In the morning, the remainder of the party followed his trail into camp, and Fairweather district, with Dr. Steele as president and James Fergus as recorder, was organized on the 6th of June, 1863. Further prospecting of the gulch developed an alluvial deposit of gold exceeding in richness and extent the most sanguine hopes of the discoverers, and perhaps combining these two qualities in a greater degree than any other discovery ever made.

"Thus it will be seen that James Stuart's expedition was the direct cause of the discovery of Alder gulch, and the consequent rapid development of the territory."<sup>1</sup>

On April 13, the Stuart party crossed two little creeks and camped on a third not far from the divide between Stinking Water and Madison rivers. In this camp two of the men, Gerry and McCafferty "got a splendid prospect on a high bar but we did not tell the rest of the party (says Stuart) for fear of breaking up the expedition."

Granville Stuart adds in a note to his brother's journal:

"This prospect was on a fork of Alder gulch, called Granite creek; and if Fairweather and party had not discovered the mines in Alder gulch, it is certain that they would have been discovered by Stuart's party when they returned, for it was their intention to thoroughly prospect that vicinity when

they came back, and it was only a few miles from where Fairweather struck gold. As it was, when they got back, Alder gulch was full of miners."

This first great "strike" is thus thrillingly described by Henry Edger in his journal kept at that time:

"May 26, 1863: Off again; horse pretty lame and Bill leading him out of the timber; fine grassy hills and lots of quartz; some antelope in sight; down a long ridge to a creek and camp; had dinner, and Rodgers, Sweeney, Barney and Cover go up to the creek to prospect. It was Bill's and my turn to guard camp and look after the horses. We washed and doctored the horse's leg. Bill went across to a bar to see or look for a place to stake the horses. When he came back to camp he said 'There is a piece of rimrock sticking out of the bar over there. Get the tools and we will go and prospect it.' Bill got the pick and shovel and I the pan and went over. Bill dug the dirt and filled the pan. 'Now go,' he says, 'and wash that pan and see if you can get enough to buy some tobacco when we get to town.' I had the pan more than half panned down and had seen some gold as I ran the sand around, when Bill sang out 'I have found a scad.' I returned for answer, 'If you have one I have a hundred.' He then came down to where I was with his scad. It was a nice piece of gold. Well, I panned the pan of dirt and it was a good prospect; weighed it and had two dollars and forty cents; weighed Bill's scad and it weighed the same. Four dollars and eighty cents! Pretty good for tobacco money. We went and got another pan and Bill panned that and got more than I had; I got the third one and panned that—best of the three; that is good enough to sleep on. We came to camp, dried and weighed our gold, altogether there was twelve dollars and thirty cents. We saw the boys coming to camp and no tools with them. 'Have you found anything?' 'We have started a hole but didn't get to bedrock.' They began to growl about the horses not being

<sup>1</sup> See Granville Stuart's note to "The Yellowstone Expedition of 1863, by James Stuart," vol. I, Montana Historical Society "Contributions."



taken care of and to give Bill and me fits. When I pulled the pan around Sweeney got hold of it and the next minute sang out 'Salted!' I told Sweeney that if he 'would pipe Bill and me down and run us through a sluice box he couldn't get a color,' and 'the horses could go to the devil or the Indians.' Well, we talked over the find and roasted venison till late; and sought the brush, and spread our robes; and a more joyous lot of men never went more contentedly to bed than we.

"May 27th: Up before the sun; horses all right; soon the frying pan was on the fire. Sweeney was off with the pan and Barney telling him 'to take it aisy.' He panned his pan and beat both Bill and me. He had five dollars and thirty cents. 'Well, you have got it good, by Jove!' were his greeting words. When we got filled up with elk, Hughes and Cover went up the gulch, Sweeney and Rodgers down, Bill and I to the old place. We panned turn about ten pans at a time, all day long, and it was good dirt, too. 'A grub stake is what we are after,' was our watchword all day, and it is one hundred and fifty dollars in good dust. 'God is good,' as Rodgers said when we left the Indian camp. Sweeney and Rodgers found a good prospect and have eighteen dollars of the gold to show for it \* \* \*

"May 28th: Staked the ground this morning; claims one hundred feet. Sweeney wanted a water—a notice written for a water right and asked me to write it for him. I wrote it for him; then 'what name shall we give the creek?' The boys said 'You name it.' So I wrote 'Alder.' There was a large fringe of alder, growing along the creek, looking nice and green and the name was given. We staked twelve claims for our friends and named the bars Cover, Fair-weather and Rodgers where the discoveries were made. We agree to say nothing of the discovery when we get to Bannack and come back and prospect the gulch thoroughly and get the best. It was midday when we left; we came down the creek past the forks and to

its mouth, made marks so we could find the same again and on down the valley (Ram's Horn Gulch) to a small creek; the same we camped on as we went out and made camp for the night; a more happy lot of boys would be hard to find, though covered with seedy clothes.

"May 30th: All well. Ate up the last of our meat for breakfast; will have supper at Bannack, ham and eggs. Away we go and have no cares. Crossed at the mouth of the Rattlesnake and up the Bannack trail, the last stage over the hill and down to the town, the raggedest lot that was ever seen, but happy. Friends on every side. Bob Dempsey grabbed our horses and cared for them. Frank Ruff got us to his cabin. Salt Lake eggs, ham, potatoes, everything. Such a supper! One has to be on short commons and then he will know. Too tired and too glad.

"May 31st: Such excitement! Everyone with a long story about the 'new find.' After I got my store clothes on, I was sitting in a saloon talking with some friends; there were lots of men that were strangers to me; they were telling that we brought in a horse load of gold and not one of the party had told that we had found color. Such is life in the 'Far West.' We have been feasted and cared for like princes."

Arrangements were made at once to return to the scene of the gold discovery. The news spread like wild-fire and the camp was ready to "stampede." The journal continues:

"June 2nd: Left Bannack this forenoon and came over to Rattlesnake. A crowd awaits us; crowds follow after us; they camp right around us, so we can't get away.

"June 3rd: Move on down to Beaverhead River and the crowd gets more and more strong, on foot as well as on horseback.

"June 4th: Down the river we go over two hundred strong \* \* \* We see it is no good to try to get away from the crowd, so we will camp where we leave the river. Made a camp near the Beaverhead Rock. 'Miners' meeting called for this afternoon.' I was

chosen to state to the crowd what we had found. I did so and told them that we had panned out one hundred and eighty-nine dollars altogether, showing them a sample of the gold, stating what the prospect was and the extent of the gulch so far as we had prospected, what we knew it to be; told what we had done; the claims we had staked, and said 'If we were allowed to have the claims as we have staked them, we will go on, if not, we will go no further.' Some talk and it was put to a vote; the vote was in our favor, only one vote against it. At the meeting there was a set of laws adopted to govern our claims. A provision of the law passed was that the claims of our party should never be jumped nor taken from us and they are exempt from one day's work in seven required by law to hold claims. Well and good. They wanted to know where the gulch was, but as some were on foot and others on horseback with that advantage, they were told 'when we get to the creek you will know and not till then.' Everybody satisfied.

"June 5th: Off and away across the long flat between the two rivers and camped at the same small creek the third time. We are fearful that when the crowd gets in, they may pull up our stakes. So some of the boys on the outside of the ring were told of the plan and Barney with ten or twelve will get out ahead to make them secure.

"June 6th: This morning the crowd was told that we would be in the gulch today and to prepare for it. When we came to the creek and were going up I said to them 'This is the creek.' Such a stampede! I never saw anything like it before. I was left alone with our packs and took my time, for I know my claim is safe. After I crossed the small creek that comes in from the left, as we go up, Colonel Wood caught up with me. He asked me if I knew where he could get a claim. I told him 'Yes, I'll show you where two bits was got, but only one pan was panned! I showed him the place and he stopped and located a claim. Got back to camp at Dis-

covery about 4 o'clock. The creek is all staked."

Nevada City was the first camp built in Alder gulch. Soon after, however, it was superseded by Virginia City, which was for some time the most important place in Montana. A third camp, Summit, grew out of the wealth of Alder. Indeed, as a logical consequence of every considerable strike, a camp sprang up, some to live and prosper, others soon to be abandoned and left to the mercy of the winds and snows. Through the mountains of Montana today, the traveler sees many a melancholy deserted village, the monument of blighted hopes.

One of the most famous and considerable emigrant trains that came to Montana at this time was the Fisk party. Among the members was James Fergus, the honored pioneer for whom Fergus county is named. He describes this noteworthy expedition as follows:

"In the spring of 1862 a private party was organized to go to the Salmon River gold mines, then lately discovered. In that party were John Potter and Mark Leadbeater—now of Gallatin valley. Later James L. Fisk, then a private in a Minnesota regiment, received a captain's commission and the command of an emigrant escort from Fort Abercrombie, on the Red River of the North, to Fort Benton; their ultimate destination being the Salmon River gold mines. It being late in the season before this party was organized, little time was given for preparation, and some of the party from Little Falls and neighborhood started off with but one or two days' notice, some after it had reached Abercrombie, and David Bently and William Sturgis overtaking it on the plains. It left Abercrombie in July, and it may be remarked here that, while there were some good men in the party, it contained as many broken, reckless men as ever crossed the plains together. The trip was pleasant, nothing unusual occurred other than one wedding and one birth. At Fort Union, near the mouth of the Yellowstone, we were joined by Mr. Meldrum, of the American Fur

Company, and near the mouth of Milk River by large bands of Gros Ventres and River Crow Indians. On our arrival at Fort Benton we learned that the Salmon River mines were overrun with men, and that gold had been found on the Prickly Pear, at Gold Creek, on the Boulder, at Big Hole, and at Bannack. A party went ahead to Prickly Pear, and on their return a consultation was held near what is called the Three Mile House, three miles south from Silver City. All the emigrants (except Rockwell, Ault, Ells, Wright, Sturgis, Cardwell, and some few that went on to Oregon and Washington Territory) and myself went into Prickly Pear and commenced building houses for the winter. In a short time N. P. Langford and———— were commissioned to proceed to Bannack, where Rockwell and party had already gone, and report the condition of the mines, etc., at that point. The result was that nearly the whole of the Minnesota party moved to Bannack. Fisk had gone west by way of San Francisco to report at Washington. John Potter & Company, who preceded us across the plains, were operating in Pike's Peak gulch, but afterwards also came to Bannack, as did all outsiders, to winter, also a number of 'Roughs' from the 'West Side,' who soon set to work to get their living otherwise than by hard work. Rows soon commenced in the whiskey shops, murders were of daily occurrence, and finally a crisis was reached."

The next great discovery of gold was in Last Chance gulch during the spring of 1864. At that time the Kootenai stampede from Alder gulch occurred, and all the restless, disappointed horde of miners who had failed to make a stake there seized upon the possibility of riches in a new field and rushed thither. Among them were John Cowan, John Crab, D. J. Miller and Reginald Stanley.

These four men camped in one of the valleys on the Hell Gate river along the Kootenai trail. There they fell in with James Coleman and others who were returning from the Kootenai country and who reported that the diggings of that section were exhausted. The

Cowan party was discouraged and they decided not to proceed to the Kootenai but to prospect the Little Blackfoot and should they fail there, to cross the Rocky Mountains and examine the gulches on the eastern slope of the range. The Little Blackfoot yielded but scant encouragement, so they continued across the divide, over a trailless wilderness to the summit, where a vast and beautiful valley unfolded beneath them. This valley was watered by a mighty river which proved to be the Missouri.

The prospectors descended into this, the Prickly Pear Valley, and proceeding to the right they stopped to prepare their mid-day meal beside a small creek that discharged its waters into a larger stream which became known as the Prickly Pear. The party was then in the afterwards famous Last Chance gulch. They discussed their plans at leisure and decided to go north along the range, then if no more promising country were discovered, to return and thoroughly prospect this gulch. The farther north they went the poorer seemed the country. They persevered, continuing up the Dearborn, thence to the sources of the Teton and the Marias, but pay gold was not to be found there.

They turned southward, and many times, as the "grub" diminished and the profitless days passed, they said to each other: "That little gulch on the Prickly Pear is our last chance."

Thus Last Chance gulch was named.

The middle of July, 1864, found them near the site of their former mid-day camp. That same day they sank two holes to bed rock, on opposite sides of the stream. One of these yielded flat nuggets that weighed about half a dollar. This was sufficient proof to the prospectors that they had made a rich strike. So suddenly did the good news spread that by the end of July many people had arrived and mining was actually begun. The discoverers were rewarded with fortunes.

The influx into Last Chance gulch was large. A settlement sprang into existence almost immediately. Alder gulch, Bannack



and the other older districts contributed their share to the inhabitants of the new camp. Besides, there came many of those strange persons, who appear as from nowhere, whom no one knows and whose presence is unaccountable. As the population increased it became necessary to christen the town and choose officers of the law. The following is the account of that interesting historical event:

"The mining camp at Last Chance gulch was christened 'Helena' by John Somerville, one of the early miners in the gulch, and who had been chosen chairman of a meeting called for the purpose of organizing that mining district and establishing laws and regulations to govern it. A letter written by Thomas E. Cooper, who was present on the occasion, thus refers to it: 'Thomas Cowan, from Georgia, in 1864, had a sluice and was mining in Last Chance. On September 24, 1864, the writer and a company of prospectors and Captain Wood built a cabin where the heart of the city now is. A meeting was called to organize the mining district, and John Somerville was chosen chairman and the writer of this letter secretary. The question of naming the town came up, and there being a great diversity of opinion as to the name the town should bear, and not being able to agree, the chairman, John Somerville, got up and stated as follows: 'I belong to the best country in the world; I live in the best state (Minnesota) in that country and in the best county (Scott) of that state, and in the best town (Helena) of that county—and by the eternal, this town shall bear that name.' This name proving satisfactory to the majority of the miners present, the name Helena was accepted."

Confederate gulch and Montana bar, containing rich gold deposits, were discovered in December, 1864. The gulch is within the boundaries of what is now Meagher county, is thirty-five miles distant from Helena and about six miles from the Missouri river. During 1864 and 1865 prospectors thronged there and the vicinity was extensively mined.

It has been asserted that \$180 to one pan of dirt was obtained. Montana bar, situated above Confederate gulch, was richer than the latter, and on account of its elevation it was easily worked. The most reliable authorities on mining at Montana bar assert that "the flumes on cleaning up were found to be burdened with gold by the hundred weight. It is said that when bed-rock on this famous bar was reached the enormous yield of \$180 to the pan in Confederate gulch was forgotten in astonishment at the wonderful yield of over \$1,000 to the pan of gravel taken from bed-rock."

Confederate gulch is not so large as Alder, Last Chance or Orofino gulches, but for the area mined it was probably the richest of all the gulches of Montana. The miners of those early times declare that in proportion to the surface worked, Confederate gulch and Montana bar produced more gold not only than any other spot in Montana, but in the world.

J. X. Beidler, in his Journal gives this thrilling account of guarding the gold dust taken from Confederate gulch from Helena to Fort Benton:

"Confederate gulch, in Meagher county, was one of the richest placer camps in the world and considerable treasure was shipped from there to Helena. Two tons and a quarter of gold dust, valued at about \$900,000, was shipped from Diamond City in Confederate gulch to Helena in the fall of 1866 and placed in Hershfield's bank. I was at Diamond City a couple of weeks previous to this shipment and Wm. Fredericks asked me if I could be employed to guard this money from Helena to Fort Benton, to which place they had concluded to ship it and then load it on a steamboat for the States. I agreed to go along. He didn't know exactly the time he would start, but told me to consider myself employed and to keep a lookout for the toughs in the meantime.

"Wm. Fredericks in the winter of 1861 was out prospecting in Colorado near the Gunnison country and was snowed in for the winter and had to eat his pack animals to sustain

life. I met him in the spring as he was coming out near the Twin Lakes. He came to my camp nearly starved to death. I fed him and his party some good substantial grub, which they had not seen for six months, and Mr. Fredericks never forgot that square meal and the next I saw of him was at Diamond City, where he employed me. He brought out a pan of dust and set it on the table and said 'X, help yourself to a nugget.' I picked out a pretty one. He said 'X, there are larger pieces there—take a big one.' Several weighed over three or four hundred dollars, but I was too delicate and kept the first one. Always was foolish.

"We started from Helena to Benton with the dust loaded on three two-mule wagons, the dust in the three little safes—and fourteen men armed and on horseback. Job Travis went along to bring the horses back. While in the bank on Budge street, Helena, getting the money ready, one of the Germans interested in the money, let his double-barreled shotgun go off accidentally and the charge went into the ceiling, which raised quite a commotion. We started after being fully prepared for almost any emergency and camped in Prickly Pear canyon that night and while in camp a man came to me—an outsider who was posted about the treasure—and asked me that if he would whistle and I would whistle back he would have the treasure taken off and I should get my whack. He started in to tell me his plans—telling me I was to fix the guns so that they could be stolen also and that then there would be no killing done on either side. I told him I didn't want to hear any more plans—I knew the man and was very well acquainted with him and told him that if he whistled I would kill him if I could.

"I reported the proposition to Fredericks and it alarmed the outfit and the men put on a heavy guard; two hours on guard and two off. No whistling and no money taken. Next night camped at the Dearborn. Had no trouble until we got to Bull's Head, twelve miles this side of Benton, while riding on a walk my

riding animal broke his right forward leg just below the knee, through no apparent cause—no gopher holes, rocks or anything to cause it, and how it was done no one of us could find out. It just snapped off. We shot him right there and left him and I rode on in the wagon to Benton. While we were there we fixed the safes ready for shipping down the river by mackinaws, no steamboat being there. We fastened empty ten-gallon kegs with ropes to each safe in case of accident and upset for buoys to find where the safes were if swamped. I got eleven ounces for my trip. They got through to the states all right."

New York gulch, also within Meagher county, was discovered in the spring of 1866 and until 1869 was mined with great profit and success. Brooklyn was founded there, lived its little hour, and passed with the passing of gold in the gulch.

White's gulch, another famous placer field of the old days, is about three miles over the mountains from Diamond. It was discovered by one White on May 2, 1865.

Cave gulch was a paying camp and the scene of a bloody vendetta. A party of claim jumpers, mostly from Nevada and Idaho, took possession of this region with headquarters at Cavetown. Five camps in the Kingsbury district combined to oust them. The latter faction, concealing themselves in a cabin waited for the "jumpers" and when they appeared to work the claims, the real owners opened a fusilade upon them, killing three and dispersing the rest, who never molested the place again.

A. W. Williams and W. F. Wheeler give this comprehensive summary in their "Mining in Montana:"

"During the next year (1865) and the year following, something like twenty of the gulches in the neighborhood of Last Chance gulch were thoroughly prospected, and in all of them paying gold mines were discovered. The approximate yield of the placer mines of Lewis and Clark county, including Last Chance gulch, from the year 1864 to 1868,

the four years when placer mining was at its highest point of prosperity, has been given as \$19,360,000.

"In 1868 about fifteen gulches were worked for gold in Meagher county and from the first discovery, 1864-5, up to the fall of 1868, a period embracing the bonanza placer years of the territory, the county had produced \$6,949,200 in gold. Since that time, however, up to the present, the yield has steadily diminished, as indeed has been the history of all remarkably rich gold yielding sections, though that county still furnishes a fair amount of placer gold.

"The placer diggings of Jefferson county, with some few unimportant exceptions, were not discovered until the latter part of 1865 and the early part of 1866. At the close of the year of 1868, however, Jefferson county had to her credit the sum of \$4,500,000 of gold as having been taken from her numerous placer mines.

"The mines on Silver Bow creek, extending from the present city of Butte to the town of Silver Bow, were discovered during the fall of 1864 and were then located in the county of Deer Lodge (now Silver Bow county). This was a gold field of considerable extent, and produced gold in large quantities. The gulch reached the height of its prosperity during the year 1866. Captain James S. Mills thus writes of the naming of the gulch:

"'Never prettier name was coined, and it came of this: On the evening of a cloudy day in January, 1864, Bud Barker, P. Allison, Joe and Jim Ester, on a prospecting trip, reached the vicinity of the creek near Butte, and a discussion arose as to its name. As the argument went on the clouds rolled from the sun, its bright glance fell on the waters sweeping in a graceful curve around the base of mountains, burnishing them to brilliancy as they clasped the vale in a bow like silver.'

"The placers of Bear gulch, in Deer Lodge county, were discovered in 1865, by Jack Reynolds and party, and in the following March the first settlement was made. The

yield of gold from this gulch during the years 1866-67 has been stated at \$1,000,000. Some wonderful stories are related of the early history of the locality, and a recent writer has said of it:

"'Nearly a quarter of a century has elapsed since the discovery of Bear gulch, and during that time it has contributed millions to the wealth of the world. Of the thousands who collected here in the earlier days of the camp, every inhabited country on the face of the globe claimed some of them as its citizens. During its earlier days Bear gulch was the theater of many strange and eventful scenes—scenes that would read like romance, if gathered into a volume; scenes of such wild revelry and savage sport as to fasten upon the denizens of the camp the well-known sobriquet of the 'Beartown roughs.' But notwithstanding the hard name the camp acquired in early days, no place on earth has been more open to the call of charity, or responded more liberally to the cry of distress.'

Ophir gulch, in Deer Lodge county, was discovered January 12, 1865, by Messrs. Pemberton, Nagle and others. This gulch has yielded about \$5,000,000. Carpenter's Bar, in the same county, was discovered on the third day of June, 1865; German gulch, September 14, 1864; Dry gulch, May 30, 1868, and McClellan gulch, February 13, 1865. On the 28th day of April, 1879, a nugget was taken out of the diggings in McClellan gulch valued at \$945.80. In 1866 the mining camp at McClellan gulch was known as Pacific City. A thousand dollar nugget was also found on Montana bar, in Meagher county. But Deadwood gulch, in Deer Lodge county, is credited with the largest nugget ever found in Montana. Its value was about \$3,000.

Emigrant gulch in Gallatin county, was discovered in 1864, and before the close of 1867 yielded about \$180,000 in gold. Crevic gulch was discovered in 1863. Bed rock in Emigrant gulch was very deep, and the mines were therefore not so profitable to work as were many other gulches in the territory.



The spring of 1865 opened with flattering prospects for the placer miners in Montana. The country had been quite thoroughly prospected and many wonderful deposits of gold had been discovered, including those of Gold Creek, in Deer Lodge county; of Bannack, in Beaverhead county; Alder gulch, in Madison county; Last Chance, in Lewis and Clark county, and the rich bars and placers of Confederate gulch, in Meagher county, all of which localities up to and including the year 1870, poured forth a golden stream that fairly dazzled the world.

The following table gives the yield of the placers of Montana, by counties, from 1862, up to and including the year 1868, which were the "bonanza" years among the placer diggings of the territory:

County	Amount Yielded
Madison .....	\$40,000,000
Lewis and Clark .....	19,360,000
Deer Lodge .....	13,250,000
Meagher .....	6,949,200
Jefferson .....	4,500,000
Beaverhead .....	2,245,000
All other sources about .....	6,000,000

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Grand total .....\$92,304,200

Besides the gulches mentioned, there were many others of lesser importance that contributed their share to the sum-total of Montana's golden years, which read more like extravagant flights of an unbridled imagination than reality, but to give the history of each, worth while though it be and full of interest, is outside the scope of the present work.

## CHAPTER XI

### CONDITIONS OF SOCIETY—THE ROAD AGENTS AND THEIR DEPREDATIONS

In 1860 Montana was still a wilderness. Fort Benton to the east and Fort Owen to the west of the Rocky mountains were its chief settlements. There were, besides, the missionary establishments of the Jesuit Fathers. That was all.

The discovery of fabulously rich gold deposits populated that wilderness as by magic. Many overland immigrants whose objective point had been either "Pike's Peak" or California, turned aside weary of the long journey, or disappointed in their quest of wealth, to the new El Dorado of the north. Indeed, the opening of Montana's treasure vaults came at a most opportune time. Colorado and California had been prospected and ransacked and rich as they were they had failed to satisfy the greed of countless gold-seekers. Consequently, in both states there was a restless and profligate floating population composed of dissatisfied men who were ready to stampede at the first rumor of prospects elsewhere. Among these were many lawless characters whose personal safety required a change of residence.

While the early prospectors were unearthing the treasure of the gold fields, the United States were in the throes of the Civil war, and in the heterogeneous population of the camps were partisans of the North and South, who, in this far-away and isolated mountain land, fostered the feud and hated each other as intensely as though they fought on bloody battlefields. This enmity not only furnished cause for dissension that verged on actual hostility at the time, but it laid the foundation for most of the bitter political struggles of later years.

The naming of Virginia City is a striking in-

stance of this prejudice. It was called originally Varina, in honor of Mrs. Jefferson Davis, by persons whose sympathies were with the Confederacy. One Judge Bissel, an ardent Union man, "indignantly and arbitrarily expunged the name" and in his first legal record replaced it with Virginia. We are informed that the worthy but somewhat intense judge told his astonished audience "in language more emphatic than polite, that no such blot should mar the records of justice in his court!"

In precisely what way the name of a town could interfere with the impartial administration of justice does not appear to be explained in this impassioned and patriotic oratorical outburst.

Another example of the fever heat to which this feeling arose is shown by the extract from the manuscript journal of J. X. Beidler:

"At Virginia City, Montana Territory, in 1864, a few of us had hauled a large pole six miles and had it on the ground on the 3rd of July, and while preparing to erect it as a Fourth of July Pole to celebrate with, some of 'Papa Price's Left Wing' came in the night and cut our flag staff into six pieces—the first hard work they had done in the country. We were equal to any emergency at that time, so sent out and procured a pole twenty feet longer than the first one and raised her on time and had the stars and stripes fluttering in the breeze. We were happy; but during the night, some of the same gang stole some coal oil from a poor colored woman and saturated our pole and set fire to it; we discovered it and put out the fire."

This terse statement, made with characteristic brevity, gives but slight idea of the riotous excitement that prevailed upon that occasion.

And this incident was but one of many, when, on neutral ground, men of the Union and the Confederacy indulged in astonishing and almost ludicrous exhibitions of bigotry and prejudice.

Passing from this phase we come to a condition far more serious. As Montana came into being as a gold-producing territory, California and Colorado, having gone through a reign of lawlessness, had "found themselves," sternly asserted the ascendancy of law and order and summarily banished the criminals that had menaced their government. For such as these, Montana, remote and hard of access as it was, in the heart of the Rocky mountains, was a haven of refuge and an untried field for further atrocities. The long, lonesome trails over which gold dust must be transported made it a robbers' paradise. They came from all quarters and by a curious and mysterious free masonry they knew their kind.

It has been truly said that in these frontier communities there was no middle class. They were either good or bad. Thousands of strong, brave men sought fortunes in the new land and to their invincible character the state owes a debt of gratitude which can never be truly estimated. These men, of much the same type as the early explorers, were willing to risk danger and endure hardships for legitimate gain. Those others who came like shadows out of the nether world were merely looking for loot.

This contrast was, if possible, more strikingly true of the few women who found their way here, than of the men. There were just two kinds, the self-sacrificing wife, mother or sister, and the prostitute. Not infrequently tragedy marked the life of the pioneer woman. This is illustrated by the following incident witnessed by Sidney Edgerton, Montana's first governor, and his party as they crossed the plains. Far out on the waste of the prairie they found a freshly made grave. Over it was a crude board on which was written that a mother and her new born babe rested beneath. Out in the wilderness, some nameless heroine had offered up her life in the throes of childbirth and passed to the Great Unknown. There

were many such, whose story is untold; whose memory is forgotten.

The remoteness of the territory from the railroads and the long distance which everything must be hauled by wagon, stage or pack train, made even the necessities of life exceedingly high and the luxuries brought fabulous prices. A newspaper sold for one or two dollars in gold dust. Letters generally cost five dollars. A cat often commanded the extraordinary price of one hundred dollars and flour fluctuated from fifty cents to one dollar per pound. These figures prevailed during normal times. Soon unscrupulous merchants took advantage of the unusual conditions and the helplessness of the people and when a shortage of some necessary article such as candles, or sugar was threatened, they would buy the entire stock and hold it for whatever price they thought they could extort. This happened with such frequency that finally the miners took matters in their own hands.

In the spring of 1865, the Flour Riots took place in Virginia City. That exciting incident is thus described by Hugh McQuade, who was present during the events of which he graphically writes:

"The preceding winter had been one of remarkably deep snow and cold weather. The 'Chinook Winds' were frozen out, or at least did not cross the range into Montana. Along toward the spring of 1865 freighting was almost entirely suspended between Salt Lake and Virginia City, the snow lying so deep in the Snake River range that it was almost impossible for the heavily laden trains to cross. One large flour train arrived at the foot of the Snake River divide, but the snow was deep, the cold intense and the oxen could find no grass and perished by the dozen. In the meantime provisions were getting scarcer and scarcer in Virginia; flour was hoarded like gold dust, and was almost as precious; potatoes, beans, and substitutes for flour were almost exhausted and a large number of people were already living upon 'beef straight.' Potatoes were very scarce at 25 cents per pound, and all other provisions were held at proportionately high



prices. The latter part of February, 1865, saw the first big rise in flour. The price jumped from \$25 per 100 lbs., to \$40, and kept climbing upward until \$100 per sack in gold was asked. For a few days the price stood at the above figures, when it began rising again, and kept steadily on, hour by hour, until \$150 was demanded for 100 pounds. There was no fixed price, the value fluctuating according as rumors of abundance or the opposite gained currency, while a portion of the time not a pound could be had for love or money. The price was already beyond the reach of a great majority of people; the streets were thronged by anxious men, and deep mutterings were heard against the parties who had gotten up the flour corner. A few days after the last rise word was sent up and down Alder Gulch that the citizens were going to rise against the flour dealers. The crowd organized in Leviathan Hall, S. R. Blake being chairman. Hugh McQuade was nominated for secretary, but declined. A flour sack nailed to a pole was their banner, and they marched up and down Wallace street. Some of the rioters had an idea that the uprising meant the sacking of the camp. Three men entered the clothing store on Content's corner, and each began picking out a suit of clothes remarking at the same time that they would take anything they wanted in the town. A messenger was sent for Neil Howie, one of the chiefs of the Vigilance committee. Neil entered the store, drew his revolver, and remarked: 'Gentlemen, this uprising is to get flour and pay a reasonable price for it; it is not to sack the town. The first man that steals from a store or saloon will be shot or hanged. The same men that fought for law and order a few months ago are prepared to fight for it now.' The ready-made clothing was dropped, and word was passed through the dense crowds that instant death would be the portion of the first rioter caught pilfering. Col. W. F. Sanders and others addressed the crowd, advising an orderly search for flour, and standing in with the men in all that was right and fair. Search parties organized and started off in different directions to hunt in stores and cellars for

hidden flour. The rumor was passed around that a wagon loaded with flour had gone to Col. Sanders' residence. An armed party immediately went to the house and were met at the door by Mrs. Sanders, who invited them to search the house, and if they found more than a pan of flour they were welcome to it. The party left, but returned next day when Mrs. Sanders was in town trying to purchase a few pounds of flour, and searched for hidden sacks in vain. A few other houses were visited by the searchers, and when more than one sack was found it was taken. Guards watched the town day and night to see that no flour was hauled away, and a couple of loaded wagons were overhauled and taken back to Virginia City. Taylor, Thompson & Co., who had a supply on hand, barricaded their door, piled the flour up in front, and placed men behind the sacks, armed with double-barreled shot-guns. Other stores were barricaded, but the patrols moved quietly and steadily along, saying they desired no trouble, but must have flour. The flour was gathered from all parts of the camp and stored in an immense building known as Leviathan Hall. The hiding places were unique and various, in cellars, under floors and haystacks; but the searchers were hungry and keen, and very little flour escaped save sacks held by families. The price allowed the owners was \$36 per 100 lbs. which was considered a fair profit. After the flour was all gathered in a committee was appointed and it was decided to allow eighteen pounds to the man so long as the flour held out, the price to be the same as that paid the owners. Men with sacks in their hands formed a line and received their portion. After a few hours the amount was reduced to ten pounds per man, but the supply was exhausted long before the end of the hungry line was reached. Some of the men paid heavy prices for their few pounds of flour. A sack of gold would be handed into the weigher but the rush was so great that no time was taken for accurate weighing, and the man who walked away with ten pounds of flour also carried a purse that was considerably shrunken after passing through the weighers' hands. For three days the white

flag waved and the mob held possession of the town, but, to their credit be it said, there was no disturbance whatever, and nothing taken save flour. A party of men with pack horses started for the Snake river range to shovel a trail through the snow and reach the flour train, if possible; but the snow was too deep, and they returned discouraged. As the supply became scarcer and scarcer, the miners shared their hoarded flour with women and children who were less fortunate; but a great number of men outside of Virginia City lived for weeks upon beef alone, and at one time fears of starvation were expressed. But the snows melted early and at last the joyous news was shouted through the streets of Virginia City that a flour train was slowly wheeling up Alder Gulch. In the early spring days when the price of flour finally dropped to \$40 per sack, it was thought to be as cheap as dirt."

At that time Sunday was the liveliest business day and loud-mouthed vendors auctioned their wares on every street corner. The wide open gambling house, saloon and dance hall furnished amusement for the mountaineer who, in the craving for excitement, spent his gold dust and nuggets with princely recklessness. The dance hall was the social center for men and women of evil fame. Professor Thomas Dimsdale has described such resorts inimitably in his "Vigilantes of Montana." He writes:

"One 'institution,' offering a shadowy and dangerous substitute for more legitimate female association, deserves a more peculiar notice. This is the 'Hurdy-Gurdy' house. As soon as the men have left off work, these places are opened, and dancing commences. Let the reader picture to himself a large room, furnished with a bar at one end, where champagne at \$12 (in gold) per bottle, and 'drinks' at twenty-five to fifty cents, are wholesaled (correctly speaking), and divided, at the end of this bar, by a railing running from side to side. The outer enclosure is densely crowded (and, on particular occasions, the inner one also,) with men in every variety of garb that can be seen on the continent. Beyond the barrier sit

the dancing women, called 'hurdy-gurdies,' sometimes dressed in uniform, but, more generally, habited according to the dictates of individual caprice, in the finest clothes that money can buy, and which are fashioned in the most attractive styles that fancy can suggest. On one side is a raised orchestra. The music suddenly strikes up, and the summons, 'take your partners for the next dance,' is promptly answered by some of the male spectators, who, paying a dollar in gold for a ticket, approach the ladies' bench, and—in style polite, or otherwise, according to antecedents—invite one of the ladies to dance.

"The number being complete, the parties take their places, as in any other dancing establishment, and pause for the performance of the introductory notes of the air.

"Let us describe a first class dancer—'sure of a partner every time'—and her companion. There she stands at the head of the set. She is of middle height, of rather full and rounded form; her complexion as pure as alabaster, a pair of dangerous looking hazel eyes, a slightly Roman nose, and a small prettily formed mouth. Her auburn hair is neatly banded and gathered in a tasteful, ornamented net, with a roll and gold tassels at the side. How sedate she looks during the first figure, never smiling till the termination of 'promenade, eight' when she shows her little white hands in fixing her handsome brooch in its place, and settling her glistening earrings. See how nicely her scarlet dress, with its broad black band round the skirt, and its black edging, sets off her dainty figure. No wonder that a wild mountaineer would be willing to pay—not one dollar, but all that he had in his purse, for a dance and an approving smile from so beautiful a woman.

"Her cavalier stands six feet in his boots, which come to the knee, and are garnished with a pair of Spanish spurs, with rowels and bells like young water wheels. His buckskin leggings are fringed at the seams, and gathered at the waist with a U. S. belt, from which hangs his loaded revolver and his sheath knife. His neck is bare, muscular and embrowned by exposure, as is also his bearded face, whose

sombre hue is relieved by a pair of piercing dark eyes. His long black hair hangs down beneath his wide felt hat, and, in the corner of his mouth is a cigar, which rolls like the lever of an eccentric, as he chews the end in his mouth. After an amazingly grave salute, 'all hands round,' is shouted by the prompter, and off bounds the buckskin hero, rising and falling to the rhythm of the dance, with a clumsy agility and a growing enthusiasm, testifying his huge delight. His fair partner, with practised foot and easy grace, keeps time to the music like a clock, and rounds to her place smoothly and gracefully as a swan. As the dance progresses, he of the buckskin gets excited, and nothing but long practise prevents his partner from being swept off her feet, at the conclusion of the miner's delight, 'set your partners,' or 'gents to the right.' An Irish tune or a horn-pipe generally finishes the set, and then the thunder of heel and toe, and some amazing demivoltes are brought to an end by the aforesaid 'gents to the right,' and 'promenade to the bar,' which last closes the dance. After a treat, the barkeeper mechanically raps his blower as a hint to 'weigh out,' the ladies sit down, and with scarcely an interval, a waltz, polka, schottische, mazurka, varsoviennne, or another quadrille commences.

"All varieties of costume, physique and demeanor can be noticed among the dancers—from the gayest colors and loudest styles of dress and manner, to the snugly fitted black silk, and plain white collar, which sets off the neat figure of the blue-eyed, modest looking Anglo-Saxon. Yonder, beside the tall and tastily clad German brunette you see the short curls, rounded figure and smiling face of an Irish girl; indeed, representatives of almost every dancing nation of white folks may be seen on the floor of the Hurdy-Gurdy house. The earnings of the dancers are very different in amount. That dancer in the low-necked dress, with the scarlet waist, a great favorite and a really good dancer, counted fifty tickets into her lap before 'the last dance, gentlemen,' followed by 'only this one before the girls go home,' which wound up the performance. Twenty-six

dollars is a great deal of money to earn in such a fashion; but fifty sets of quadrilles and four waltzes, two of them for the love of the thing, is very hard work.

"As a rule, however, the professional 'hur-dies' are Teutons, and, though first-rate dancers, they are, with some few exceptions, the reverse of good looking.

"The dance which is most attended, is one in which ladies to whom pleasure is dearer than fame, represent the female element, and, as may be supposed, the evil only commences at the Dance House. It is not uncommon to see one of these sirens with an 'outfit' worth from seven to eight hundred dollars, and many of them invest with merchants and bankers thousands of dollars in gold, the rewards and presents they receive, especially the more highly favored ones, being more in a week than a well-educated girl could earn in two years in an eastern city.

"In the Dance House you can see judges, the legislative corps, and every one but the minister. He never ventures further than to engage in conversation with a friend at the door, and while intently watching the performance, lectures on the evil of such places with considerable force; but his attention is evidently more fixed upon the dancers than on his lectures. Sometimes may be seen gray-haired men dancing, their wives sitting at home in blissful ignorance of the proceeding. There never was a dance house running for any length of time, in the first days of a mining town, in which 'shooting scrapes' do not occur, equal proportions of jealousy, whiskey and revenge being the stimulants thereto. Billiard saloons are everywhere visible, with a bar attached, and hundreds of thousands of dollars are spent there."

Amongst the motley throng of these resorts one might pick out the debonnaire figure of young George Ives, a gay and reckless youth. He was tall, smooth shaven and generally clad in a soldier's top coat and a light felt hat. A favorite prank of his was to back his handsome horse into the show window of a store, smashing the glass and laughing the matter off



as a huge joke. Yonder was the courtly and affable sheriff, Henry Plummer, and upon occasions, Slade a good man when sober, but a devil in his cups, would ride into the hall on horseback. Leaning over the bar one might also see the stocky but diminutive form of a determined-looking young man familiarly called "X" whose full name was J. X. Beidler. There they met and mingled and apparently hob-nobbed over their drinks, for to the early western man the drink was as the Indians' pipe of peace; it was the bond of social intercourse, and, in a sense, the pledge of at least temporary good will. To accept the proffered drink was to bury the hatchet—to decline it, an open avowal of hostility.

But although this ill assorted crowd showed no apparent division, in reality it was separated into distinct and opposing factions—one composed of the sober, honest men of the community; the other of the "roughs."

Strange things had happened. Men had been murdered again and again in cold blood for the gold dust they carried; stages had been held up with dare-devil bravado and indifference to consequences, but by some mysterious agency that operated too regularly for mere coincidence, the murderers and robbers were seldom caught, and if by any chance they were apprehended, they were invariably found not guilty by a tribunal far from satisfying the demands of justice.

There was no government in Montana at that time save by the voice of the people. This vote had made Henry Plummer sheriff, and although he was unquestionably a gentleman by birth and training, and outwardly appeared to discharge his duty, he was away frequently on long and mysterious trips and when he returned he was bronzed and weather-beaten from exposure to the elements. He owned distant claims, it was said, and his absences were explained as visits to them.

So matters stood when the following event took place, which is described by Colonel W. F. Sanders:

"On the morning of the 14th of November, 1863, I arrived at Bannack City, which was

then my home, from Virginia City, where I had been as one of a committee of three, to interest the citizens of that place in a movement looking to the creation of a new territory out of that part of Idaho which was east of the Rocky and Bitter Root mountains. Upon my journey from Virginia City to Bannack, I was accompanied by Samuel T. Hauser, theretofore a miner in Bivens' gulch, near Virginia City, who was on his way to St. Louis, and Henry Plummer, then in many respects the most conspicuous citizen of eastern Idaho. Upon arriving at Bannack, I learned from Samuel McLain, then a citizen of that town, that it was an open secret that mines of silver were known to exist in that vicinity, and that the announcement of that fact would be made public as soon as they should be recorded. Theretofore mining in eastern Idaho was exclusively confined to placer mines. A few gold quartz lodes had been discovered near Bannack, but the existence of silver bearing quartz was not generally known or conceded. At this period the silver mines of Colorado and Nevada were being developed and revealing fabulous richness, and it was the universal belief of persons, who had given the subject attention, that silver mines were much more valuable than those exclusively bearing gold. Colonel McLain had requested, if an opportunity occurred, for me to secure him a claim upon the silver lodes to be recorded, that I would do so, and reciprocally had promised me, if an opportunity occurred for him to secure a claim for me, that he would do it; and as to the discoveries then supposed to have been made, and about to be made public, we agreed to own whatever either procured in common. During the day a number of horses belonging to the bold riders of the mountains, who then lived in or frequented Bannack, were driven from the Horse Prairie ranch or pasture grounds to Bannack, and during the afternoon a cavalcade of ten or a dozen horsemen had mounted and perambulated the streets of Bannack, frequenting the various saloons of the town. The horses were uniformly the best the country afforded, and their horsemanship was perfect. They re-

mained in Bannack for two or three hours, apparently for convivial purposes, and late in the afternoon began to depart from the town in the direction of Virginia City, by twos. After some of them had left, Colonel McLain came to me and stated that, in his judgment, this party was going to stake and record the silver lodes which he had mentioned as having been discovered. I expressed to him my dissent from that opinion, and told him I would ascertain. Seeing Mr. Plummer mounted on his horse and a short distance on the opposite side of the street from me, I went to him and asked him where he was going. He told me that he and his party were going that evening to the ranch of Parish, Bunton & Co., on Rattlesnake creek, about fifteen miles east from Bannack, where they would remain all night, and that upon the succeeding day they were going to Blacktail Deer creek upon the opposite side of Beaverhead river, to take possession of a herd of horses which Frank Parish had taken to keep during the winter; that Parish was sick and would not probably survive; that his wife was a Bannack squaw, and that the instant he died she, with some of her tribe, would take possession of these horses and drive them away, and inasmuch as they were owned by citizens of that vicinity, he felt bound to protect their property and preserve it against these Indian thieves. The story was a plausible one. I knew that Parish was sick from a fever, and not expected to live, having left his place that morning. I also knew that his wife was an Indian woman, and presumed he had the horses mentioned. Impressed, however, with the superior information of Colonel McLain, I denied to Plummer that he had truly related to me his purpose, stating to him my conviction that he, with his party, were going to stake and record the silver quartz lodes which rumor said had been discovered, and stated to him my inclination to accompany him. He replied: 'All right; get your horse and come along,' at the same time, however, assuring me that, as far as his knowledge extended, there was no one going with him who knew of the discovery of any silver mines, and stated his conviction that no

such purpose was in the minds of any of his companions, and assured me he knew nothing of the matter himself. Upon my intimation of a continued belief that this was his purpose, or that of some of the party, and that it was still my design to accompany it for that object, after a moment's hesitation he repeated his invitation to me to go with him, and at the same time stated to me that if I did not, and it should occur that such an event as I had signified should transpire while they were absent, he would see that one of the claims was staked in my name as certainly as if I were there. I said to him that his companions might object to the staking or recording of claims for any person not present on the ground, which he assured me would not be the case, and saying if such an event did occur he would deed to me the claim that should be recorded for him, that he could get quartz claims, when he pleased, and upon his assuring me that I should fare as well in this respect as he or any of his companions, I returned and reported my conversation to Colonel McLain. At this time it is probable that half of the party had already left town, and the balance were scattered through the hamlet, occasionally galloping wildly from one saloon to another through the main street. I do not remember all of these horsemen. There were Plummer, the sheriff, two of his deputies, John Gallagher, George Ives and probably six others, one of whom, I am certain, continued to reside in the territory of Montana until a very recent period, who pursued an honorable avocation, and who was highly esteemed as a man of integrity by all who knew him, to the time of his death. An hour or two after my interview with Plummer, Colonel McLain returned to my office accompanied by Sidney Edgerton, then chief justice of the territory of Idaho, F. M. Thompson, a merchant then trading in Bannack, and Leonard A. Gridley, who had crossed the plains with me, and expressed the conviction that it was desirable that I should go to the ranch on the Rattlesnake, and accompany this party the succeeding day. I volunteered to do so at their request, and I went for my blankets and

revolver while they proceeded to find me a horse in town. Upon the morning of this day, shortly after my arrival from Virginia City, a large cavalcade of teams, driven by a number of Mormons, had left the town of Bannack for Salt Lake City. These teams were principally mules, although there were some horses. When we had alighted from the coach I had accompanied Mr. Hauser to the store of George Grissman, then the principal place in the town, where the citizens gathered to discuss the mining interests of the country and relate the tragedies and hair-breadth escapes which daily occurred. Mr. Hauser delivered to Mr. Grissman, for safe keeping, several purses of gold dust, and proceeded to make arrangements with Nathaniel P. Langford to start upon his journey to Salt Lake City. Upon my arrival from my residence with my blankets I found saddled and bridled for my use a diminutive mule, the only animal at that time in Bannack which could be obtained for such a purpose as I had in view, and I mounted and started up the hill on the road which the horsemen had traveled. Just before doing so, Mr. Gallagher, known as Jack Gallagher, rode to the door of my office, dismounted, came in and proceeded to blacken his boots, exchanging the customary salutations. At this time the sun was probably an hour high. Near where the cemetery at Bannack is now, about a hundred rods from the main street, my mule, true to the spirit which characterizes his kind, became balky, and refused to budge an inch for half an hour, to the great amusement of several gentlemen, who witnessed his gyrations from the main street of the village, which lay beneath me. Patience, however, conquered at last, and I pursued my journey, arriving at the top of the hill, five miles from Bannack, before daylight had entirely faded from the sky. I had frequently observed the tracks of horses which had preceded me in the highway, and when I reached the top of the hill, failing to discover any of them, I dismounted for that purpose. Readily persuaded that these wild horsemen were familiar with shorter trails to the Rattlesnake ranch than the main road, I concluded

they had taken such a trail, for it was certain that the last travel over the highway was a team on its way to Bannack. The animal which I rode, by its apparent weariness, justified the resolution he had formed near the town, not to accompany me on my journey, and I soon discovered he was wholly unfit for the task imposed upon him. About dark a snow storm commenced, the wind blew with considerable fury, and the accumulations of snow upon the feet of the mule rendered his steps uncertain and very laborious. I therefore dismounted, and for the last eight miles drove him to Rattlesnake ranch. Entering the office and bar room, a cheerful fire was blazing upon the hearth; a medical gentleman from Virginia City, stupified by intoxication, lay upon the floor in one corner of the room; a mattress, filled with hay, was spread down in front of the fire for a bed, and behind the bar stood Erastus Yeager, universally known at that time by the soubriquet of "Red." He greeted me cordially, but expressed some surprise at my sudden return to the place. I inquired of him where Mr. Plummer and his party were. He disclaimed all knowledge on the subject, informed me they had not been there, to which I expressed some surprise, and said that Mr. Plummer had left Bannack for that place during the afternoon, with eight or ten in his party. I requested him to take care of my mule, which he did by putting him in the corral belonging to the stage line of A. J. Oliver & Co., feeding him some hay, and bringing the bridle and saddle and blankets into the house.

"Wearied with the labors of the last day or two I soon commenced to spread my blankets on the floor preparatory to a night's rest, but Yeager asked me to put them on the mattress on the floor, saying I could sleep with him—a tempting invitation which was readily accepted, and I was soon asleep. About midnight I was awakened by boisterous and rude raps upon the outer door, and 'Red' arose, lit a candle, took a shotgun from behind the bar, and proceeded to unbar the door, when in stepped Gallagher, saying that in the storm he had lost his way, and finally found Rattle-



snake creek, and had been riding up and down for two hours at least, unable to find Rattlesnake ranch, then the only house upon that creek, and which was situated upon the crossing of the stream about three or four miles below Argenta. He said his horse was worn out, himself nearly starved, and as a relief against all these ills he said he wanted something to drink. He also asked for something to eat. His first request was instantly complied with, but he was told there was nothing in the house to eat, as Mr. Parish was very sick and would probably not live until morning, and they had no time to prepare for travelers. He replied that he would take another drink, and that he must have something to eat, if it was nothing but cold bread or cold meats; and after he was supplied with his drink Yeager retired to the rear of the house to see what could be done to allay his hunger, and soon returned with a pan of cold boiled beef, to which Gallagher did a justice as complimentary to his hunger as his attention to the bottle was to the intensity of his thirst. During the time he was discussing the viands set before him he proposed to trade horses, he having a very valuable animal well known to the proprietors of Rattlesnake ranch. Yeager told him that they had no horse there to trade; that the horses belonging to the ranch were with the herd. Gallagher protested that he must have a fresh horse, until Bunton, who was lying by my side, called Yeager to the side of the bed and whispered to him that he might trade the horse of A. J. Oliver & Co., which was in the corral, if he could get \$50 to boot. Yeager returned to his post behind the bar and continued to assert that there was no horse in the corral which they were willing to trade away; but finally, being thereto interrogated, confessed there was a horse in the corral, which he said was a very valuable one, not suited to Gallagher's uses, but which they did not wish to dispose of. But Gallagher was importunate and expressed a desire to have the horse, saying it was fresh, while his was worn out, and that he must proceed on his journey that evening. To this time I, though thoroughly awakened, had said

nothing, but, knowing that Gallagher had been with Plummer's party in Bannack during the afternoon, I presumed I could learn something of his whereabouts, and so, still lying upon the bed on the floor, I asked him if he knew where Plummer was. Instantly he jumped to the bedside with his revolver cocked, put it within a foot of my head, and with the vilest profanity said he would shoot the top of my head off, and continued in the most angry and boisterous manner his threats and denunciations. I do not suppose this situation lasted more than five seconds, but the sensations which I experienced at that time are as vividly impressed upon my mind as if it were an event that lasted through hours. 'Red' was behind the counter, Bunton was lying by my side. I had seen 'Red' return his shotgun to the wall behind the bar, and I instantly moved my head from under the muzzle of the revolver towards Gallagher's feet, jumped from the bed, sprang behind the counter, and seized the shotgun which Yeager had used, cocked it, and pointed it across the counter with the muzzle directed toward Gallagher. Standing nearly in a line between the bed and bar, where I stood, was a rude pine table, the principal use of which was for playing cards, and this table being in reach of Gallagher, by the time I had got the shotgun in position, he laid his revolver upon it, pulled his soldier's blue overcoat apart and told me to shoot. I replied that I had no desire to shoot, but, if there was any shooting to be done, I *did* desire the first shot. He again invited me to shoot and at this stage of the controversy both Yeager and Bunton interposed—Yeager with the assurance to Gallagher that he had been to blame and ought to be ashamed of himself, and Bunton with the consolatory statement that he would not have such a noise in the house, as Parish was sick and likely to die at any moment. Gallagher finally gave signs of relenting, saying to Yeager that perhaps he was blamable, and sang that universal truce of the times which consisted of an invitation for me to drink with him. After a delay, which satisfied me of the sincerity of his intentions, I accepted his invitation, and still protest that the

circumstances of the duress which surrounded me ought not to operate to impair my standing as a Son of Temperance. Gallagher was profuse in apologies, and, as soon as I could withdraw from the conversation, I returned to the fireplace. Gallagher and Yeager went to the corral, traded horses, returned for the purpose of weighing \$60 of gold dust, the agreed difference of the value of the two horses, and Gallagher, departed on his urgent but untold errand. Yeager, barring the door, and congratulating Bunton upon the trade which they had made of another person's horse for one of their own, then lay down on the side opposite to me from Bunton, and we were shortly again wrapped in slumber. About two o'clock in the morning there was another tempestuous noise at the door, and Yeager, procuring the shotgun, unbarred the door, when Gallagher came with his saddle, bridle and blankets, saying he had become lost in the hills, could not tell where the road was or which way to go, and finally having found the Rattlesnake ranch, had abandoned his journey and proposed to stay the remainder of the night; and, having spread his blankets at our feet, laid down and slept. Not far from five o'clock there was another alarm at the door of the house, and with the same precautions manifested by Yeager, the door was again opened, and from the darkness without I heard a familiar voice inquiring if I was there, to which Yeager replied that I was, and invited the gentleman in. This invitation was declined, with a request that I would come out; and so, after dressing, I stepped into the darkness out of doors and found George Brown and Mr. Gridley standing there; and, after congratulating me upon my safety, they asked me to accompany them back to Bannack. At once returning and getting my overcoat and blankets, I saddled my mule and we started before daylight, and without a breakfast, from the ranch. The story which they related will bring us back to the party of which I was in search. Upon my arrival in Bannack, the day before, I had sent Henry S. Tilden, a young man who had accompanied me from Ohio to Bannack, to Horse Prairie to get some cattle

which had been left there in the fall and drive them to town. About 9 or 10 o'clock in the evening he had made his appearance at my house on Yankee Flat, and related to my wife his experience of the day and evening. Having found but a portion of the cattle during the day, he had driven them into an inclosure on Horse Prairie creek, leaving them there with the expectation of returning the following day, finding the balance and returning with them to Bannack, and had started in the evening for that place. About half way between Horse Prairie and Bannack he saw in the distance, in front of him, several horsemen, and, upon approaching them in the road, they commanded him to halt, dismount and throw up his hands. Some of them dismounted and presented their revolvers at him, while one of them proceeded to search his pockets for money, with a result somewhat 'discouraging, whereupon they proceeded to say to him that they did not wish his money, that they did not desire him to say what had been his experience that night, and, if he did, notwithstanding this request and notice, he need not hope to escape death at their hands. With such precautions, enforced by some repetition and much profanity, they permitted him to remount his horse and proceed on his way. He was a boy of fifteen or sixteen summers, thoroughly frightened by this episode, unlike all his former experience, and he gladly availed himself of the hospitality which permitted him to depart alone in the darkness. Thenceforth his journey into the town was rapid. Riding across Yankee Flat at a gallop, his horse stumbled and threw him upon the ground, and for a time he was insensible, but upon recovering consciousness he proceeded on foot to the residence of Mr. Edgerton and told the family what had occurred to him and who several of the party were that had stopped him in the highway in the manner described. He then came to my house, repeated the story, and my wife accompanied him to the residence of Mr. Edgerton, where several of the neighbors were called and consulted, each of whom expressed some apprehension as to my own safety. The result was

that Brown and Gridley were mounted upon two horses which had been at work during the day out of Bannack, and were sent to Rattlesnake ranch to ascertain my whereabouts. It thus appeared that the horsemen, under the command of Plummer, had proceeded in an opposite direction to near the top of the hill toward Rattlesnake ranch, had doubled upon their track, crossed the Grasshopper creek about four miles above Bannack and had proceeded to Horse Prairie with the intention, as it afterwards appeared, of robbing Messrs. Hauser and Langford, who had left Bannack during the evening, having in the morning, without the knowledge of Plummer and his companions, made an arrangement with the Mormon train to join it that evening on Horse Prairie and proceed with it the next day. Upon my return to Bannack I was disinclined to believe that young Tilden's identification of Plummer as the principal actor in the attempted robbery was correct, but the young man was of undoubted integrity, and he was certain that if the identification of individual faces was a possible thing, he there saw and knew Henry Plummer. The facts were concealed from the general public until the afternoon of the 10th of January, 1864, after it had been determined to hang Plummer, Ray and Stinson, when, for the further satisfaction of those who might possibly indulge in a captious doubt, we sent

for young Tilden and had him relate the story. Of the four actors in the scene at the Rattlesnake ranch that night, within sixty days I was the sole survivor, the other three having fallen victims of the Vigilance committee."

Colonel Sanders had unknowingly bearded the lion in his den; Rattlesnake ranch was the headquarters of the road agent band and his deliverance was little short of providential.

The effrontery and cool contempt of law of the desperadoes became more and more evident. Their absolute arrogance and the farce of the trials of guilty parties is told by J. X. Beidler in his *Journal*:<sup>1</sup>

"In 1863, When Alder Gulch was first discovered, I, in company with John W. Graimers and G. Berhinger, took up three claims in Highland district. There was a big stampede at that time from all parts of the world. We had started in to clear our ground of brush when a big Irishman jumped Graimer's claim. Berhinger hollered to me from his claim that Graimer's was jumped. I told him to hold onto his. A fellow came to me and ordered me off, but I stood him off and told him I was chief and would camp there. He left me. We divided with Graimer afterwards. We started a drain ditch and there was lots of work of the kind I did not like. I stood it about ten days in the water and then I looked after the horses, got supplies, etc., for camp and did chores, and one

<sup>1</sup>One of the most conspicuous figures among the Vigilantes was J. X. Beidler, who probably took a more active part in the capture of a greater number of murderers and road agents than any individual of the intrepid band.

Beidler, or "X" as he was universally called, was born in Mount Joy, Lancaster county, Pennsylvania, on August 14, 1831. He worked at various trades, shoe-making, brick-making and broom-making. He went to Kansas where he kept a saloon and in 1858 started for "Pike's Peak" as Colorado was called at that time. Like many others he failed to find a fortune there and hearing of the riches of the newly discovered gulches of Montana he turned his face northward and arrived in Alder Gulch in 1863.

X. Beidler was a man of small stature but broad shouldered and strong. He was absolutely without fear. He was a mark for the road agents' vengeance and was often threatened. The following is a communication expressing their sentiment of hatred for him:

"J. X. Beidler,

"We herewith give you notice that we intend to kill you at the first opportunity that offers and

will give you no more time to prepare for death than the many men you have murdered.

"Remember there are a great many of us who intend to carry this purpose out. We shall live to see you buried beside the poor Chinaman you murdered.

"(Signed) 200 ANTI-VIGILANTES.

"January 24, '70."

After Montana became a territory "X" was appointed deputy United States marshal, an office for which he was well qualified. Judge Lyman E. Munson says of him and his associates:

"No braver officers ever lived than U. S. Marshal George M. Pinney, and his deputies, Neil Howie, John Featherston and J. X. Beidler, and it gives one personal pleasure to accord to them the merit of having contributed largely to the establishment of order and good government over the discordant elements in the Territory."

Colonel A. K. McClure pays him this tribute:

"Of the many brave men who inaugurated and openly sustained this movement, no one can justly be awarded exclusive praise; but there is one who figures as conspicuously in the history of the Vig-



day when I was down in Virginia City after meat for supper, Jack Gallagher came to me to borrow my mare to go down the gulch. I refused. He wanted to know what was the matter with me. I told him I had to get back to camp with meat for supper for the boys. He insisted on me letting him take the animal for a short time, to which I finally consented. He promised to be back in thirty minutes, but was gone two hours and a half. When he came back I was boiling, you bet, and indignant into the bargain, and called him some pretty hard names. He told me to go slow but I told him I hadn't time, and that the next time he got a horse from me he wouldn't keep it. He said, 'why I will set you afoot.' I told him there was no one holding him. A few days previous to this George Ives took a mule of mine up to the Fire Hole country, but said nothing to me about it. I found the mule all sweated and raised a fuss about it and Ives said it was the best mule in Montana, and said he knew because he had ridden it 75 miles a day for several days. I told him that if I ever caught him on an animal of mine I would kill him. He told me to put my animals on a ranch or take them away from there. Ives and 'Tex' Crowell came to this place ten days after I had camped there and ordered me to take my animals away or he would do it for me. I told him I would go to the gulch and get a lot of miners

lantes as did Plummer in the reign of terror. Some twelve years ago I was accustomed to meeting, on the streets of Chambersburg, Pa., a young man named John X. Beidler. His frugal wants were supplied by the manufacture of brooms, and finally he mixed the best of cock-tails and juleps at a neighboring summer resort. He was as amiable and unoffending a lad as the community could furnish, and his jolly, genial humor made him a favorite with all who knew him. Although he had attained his majority, he was scarcely five feet six inches in height, and was far below the average of men in physical power. He finally wandered west in search of fortune, and soon after the advent of Plummer came 'X,' the name by which he is universally known in Montana. Thus the bane and the antidote were close upon each other. Strong in his inherent love of honesty, a stranger to fear, not powerful, but quick as thought in his actions, and firm in his purpose as the eternal mountains around him, he naturally entered promptly and earnestly into the effort to restore order and safety to society. That little was expected of him when he first cast in his lot with the stern reformers is not surprising, but his tireless perseverance, unflinching courage, and

and clean them out. He got very angry and he instructed his herder to take the lariats off my saddle animal. I went to his lodge and found my lariat among his own and took it home with me. Met Ives, and 'Tex' Crowell and a lot of the gang with Gallagher in the pot.

"George Ives came to me and said, 'Do you know who I am?' I said, 'Yes, I think you are a thief from the way you have acted.' We went into a place and took a drink. I paid for it, at the same time telling them I did not care who they were. I was still hot at Gallagher, and he at me, about him riding my mare. I then found out that the object of Gallagher getting my mare was to make arrangements to murder Dillingham, who was deputy sheriff under Chimmer, which they (Charley Forbes, Buck Stinson and Haze Lyons) successfully accomplished at the foot of Main street, Virginia City, while Dr. Steel was holding a miners' court. The reason Forbes, Stinson and Lyons killed Dillingham was because he had heard that they were going to rob Dodge and Wash Stapelton, and Dodge went and told the intending robbers what Dillingham had told him, and to get even they turned and murdered Dillingham. Dillingham was dead lying in a brush wickiup on a gambling table. We arrested his murderers. They were tried. Dr. Steel was president of the meeting. That night we held them prisoners in a log cabin near

singular skill in thwarting the plans of the common enemy soon made him the chief pillar of the organization, and the unspeakable terror of every desperado. This diminutive man, without family or property to defend, has himself arrested scores of the most powerful villains, and has executed, in open day, an equal number under the direction of that wonderful, dreaded, unseen power that surrounded the hasty scaffold. So expert is he with his faithful pistol that the most scientific of rogues have repeatedly attempted in vain to get 'the drop' on him. Quick as a flash his pistol is drawn, cocked in the drawing, and presented at the doomed man, with the stern demand, 'hands up, sir,' and the work is done."

In addition to his adamant nerve J. X. Beidler was a humorist and something of a philosopher. He is often called the "Mark Twain of Montana." He died at Helena, Montana, in January, 1890. He is buried in Forestvale cemetery, Helena, and his grave is marked by a great, rough boulder, emblematical of his rugged character.

His manuscript journal, written during the last six months of his life, is one of the most valuable contributions to the literature of the Northwest.

Dorris' store. We had to stake chains and paddocks to secure them, having no handcuffs. We moved one when the balance bucked and said they would die before we should put chains on them. I told them it was good to die. The captain of the guard said, 'pull down on them, boys,' when they thought they had better take their medicine and take chains instead of lead, which chains we put on with pleasure and they made us feel more secure. There was a bad crowd hovering around and no one could tell when a rumpus would commence. Buck Stinson, one of the prisoners, was a deputy sheriff under Plummer. So was Jack Gallagher and Dick Todd, and we had to stand stiff legged against such a gang. In the morning we went to trial with the prisoners, before the miners, in the open air. H. P. A. Smith and Jim Thurmond were attorneys for the prisoners. Testimony was taken in reference to the murder and Charley Forbes got up to make his own plea, before the court and people. He made a good talk and was acquitted. Buck Stinson and Haze Lyons were sentenced to death by vote of the people, who had listened attentively to all testimony for and against. Dick Sapp and myself were ordered to build a scaffold and see that the graves were dug. We worked like beavers to get some forked trees from the cotton woods, built the scaffold and started in to dig the graves. When finished we came down, found a big crowd of excited people and put the two condemned men into a wagon to haul them to place of execution. C. Forbes, who was acquitted, lit out and didn't want to take any chance, and as we were about to start, Jack Gallagher got up and called a new vote on the hanging, and all in favor of letting the prisoners go in the crowd of 2,000 miners were to hold up their right hands. It was impossible to decide which side had it. I then called for a new vote. It was agreed upon to have two men, one to take the hang-men, and one to take the no-hang men, and see who had the best of it. The men who voted had to pass between these two men and declare themselves hang or no-hang, and the vote counted after all hands had passed

through, stood no-hang. We kicked, because the desperadoes turned loose and did as fine a piece of electioneering as was ever done in the world, voting as often as they could pass through. Then another proposition was made by the toughs. Those in favor of hanging were to go uphill and those in favor of no-hanging were to go down hill. They were a lazy lot of loafers and naturally went down hill and beat us. Jack Gallagher got up and declared (with six shooter in his hands) the prisoners acquitted. He was a deputy sheriff and it had its effect on the crowd. A great many of the miners got disgusted and left for their claims. The roughs had carried the day. The murderers were acquitted and poor Dillingham lay dead, murdered in cold blood, lying on a gambling table in a willow wickiup.

"Judge Smith came to me and asked me why Dillingham was not buried. I told him I had been pretty busy digging graves and putting up scaffolds, but that I had time now, so made a coffin and buried him. When these men were sentenced to be hung Barton's wife and daughter and two other ladies created considerable sympathy for the prisoners by their tears and this was one of the reasons of their acquittal. While on our way to the grave of Dillingham, we passed by Barton's cabin. He said to me 'the tears of my wife and daughter saved those poor boys from being hung.' I said, 'I noticed that they have no tears and sympathy for this dead man who was murdered by those dear boys in cold blood.' At the grave there was no one to offer up a prayer, so I proposed to Judge H.P. A. Smith to tackle the job, as he had been instrumental in acquitting the murderers. He knelt down and offered up as fine a prayer as ever I heard, but I have not heard many. Then we came to town and found notices posted up on trees and conspicuous places with the following: 'Two graves to let—apply to X. Beidler.' The next morning I noticed that two cub bear heads had been hung upon the scaffold that had been created for the murderers, Stinson and Lyons. At that time the gang of murderers and cut-throats held the top hand. At this time Bivins

Gulch was discovered about fifteen miles north of Virginia City and a stampede there took place. In company with Dr. Steel and other miners, we started to follow the discoverers of the new gulch. We had to strike matches to keep on their trail, not knowing the country as well as they did. Got into the gulch about daylight in the morning, took claim, the best that was left. While there I met Alex Carter, mounted on a fine large horse called Stonewall Jackson. I was afoot. He made a charge to ride over me and tramp me under the horse. He was full of barbwire whiskey, but when he saw me get for my six-shooter, he quit. He said, 'You grave digging, scaffold building ——— what are you doing here? Do you want to hang somebody?' I said I had not yet the pleasure of digging his grave but hoped to soon see him get there.

My claim proved a failure, having got a heap of rocks. I sunk \$300 or \$400 there and never got an ounce out of it. Came back to Virginia City, abandoning my claim, as also did Dr. Steel and others. The people around in Virginia City were at this time in an excited state of mind and I concluded to quit prospecting for gold and prospect for human fiends.

"I got my eight animals in July, '63, and started for Bannack with a big sack full of gold dust and purchased articles, sugar, etc., that could not be got in Virginia City, that town being literally bought out of provisions. I bought sugar for 60 cents per pound from Kiscadden, who was a former trader at Denver, and sold it in Virginia for \$14 each. I sold gum boots for an inch, that is, if the foot of the boot was eight inches long, I got eight ounces of gold for a pair, no matter how long the leg was, but the miners were making money fast and didn't notice it—had to have the boots. While at Bannack buying this outfit I ran across Buck Stinson and Haze Lyons (the two ducks that had escaped justice and from my graves) at Henry Plummer's headquarters. Buck came up and said, 'You are the ——— that voted to hang me.' I said, 'yes, sir, and if that was the question now I would still be voting the same way.'

Haze Lyons came up and said, 'You are the ——— that dug a grave for me.' I said, 'yes, and never charged you a cent for it.' He said, 'I am not in the grave you dug for me.' I told him he would get there yet, into that same little grave.' All this talk created quite a little sensation and drew a large crowd and it was hard to tell which one of the boys it would be at any time. I shook hands with my left hand with my friends. Got my goods packed and lit out from there. After selling my goods in Virginia, I bought a claim in Nevada district with three other men, paying \$1,600 in dust for it and went to mining and shoveled gravel plenty. Worked the claim until late in the fall when we sold out to John Culver for \$2,200. Then the news came up from the valley that Nick Tballt sold a pair of mules to some parties who paid him in money in advance and he left to go after the mules and on the way met George Ives who shot him and then robbed him of his money and mules. Ives accused Long John and a man called the American Pieater, but both proved themselves innocent. He also accused Alex Carter of the crime, but could not make it stick. The dead man was not found for about ten days after he was murdered, although we had searched to the best of our ability, and the way we found him, a man by the name of Palmer killed a chicken and it dropped in the willows. His boy went to get the chicken and found it lying upon the body of the dead man. We brought the body to Nevada. It had been shot through the head then dragged with a rope to the brush. On searching the pockets of the victim, we found a knife which Tom Bannie had loaned him in my presence. A party was organized to capture Ives who left Nevada in the night—he along with Long John and Tex. We arrested him on the way back. George Ives made a break for liberty by starting his horse on a dead run and he came mighty near getting away. It took about three hours to recapture him and he would have been hung on the spot, only the guards wanted to show that he could be brought in alive."



The identity of the highwaymen was now established but they became bolder and bolder in their outrages. In the autumn of 1863, Mr. A. M. Holter with Alexander Evanson left Denver, Colorado, for Alder Gulch with a saw-mill. After a difficult trip and the loss of considerable of their equipment they arrived at Alder Gulch the first day of December and built their mill, eighteen miles from Virginia City, at Ramshorn Gulch.

On his return from Holter's second trip to Virginia City, on December 11, 1863, he came near being a victim of the road agents. George Ives and some companions had met Mr. Holter and his party on the way, not far from the mouth of the Big Hole, and had evidently marked him as one likely to have gold from the sale of goods in Virginia City. Holter returned with two yoke of cattle but without a wagon. He had just reached the point of the road where the trail across the hill strikes the gulch below Nevada. Ives and one of the horsemen passed him, seeming to observe him with unusual scrutiny. They rode ahead, taking the lower road by Lorraine's ranch. Mr. Holter with his team took the upper road. As he approached the crossing of Brown's Gulch creek, Ives and his companion seeing that he had chosen the upper road, struck across country and met him. When Ives was within a distance of four feet from Holter he whipped out his gun, leveled it at him, and ordered him to give up his gold dust. Holter protested that he had nothing of value. Ives retorted that he knew better, made him turn his pockets inside out, hand over his purse and pocketbook which contained nothing but little currency and a few papers. Ives was infuriated at this failure. He ordered Holter to leave the road. There was no alternative

but to obey. Holter turned to speak to his oxen, when, by some sudden impulse he wheeled about and faced Ives in time to see that cut-throat aiming a revolver at his head. In a second the gun was fired. Mr. Holter threw back his head and the ball entered his hat, grazed his scalp, cutting the hair, and his face was badly powder-burned. The shock stunned him, he reeled and would have fallen had he not grasped one of the oxen. Ives was deliberate and absolutely merciless. Seeing that his first shot had gone astray, he aimed his gun once more, the second time at Holter's heart. The trigger snapped; the gun apparently missed fire. The only hope of escape lay in the possibility of getting the oxen between himself and Ives. This Holter attempted to do and the animals alarmed at the excitement, moved and pressed the highwaymen. While they were occupied in disengaging themselves Holter made a dash for some adjacent beaver dams. At that crucial moment a team hove in sight up the trail and Ives and his companion rode away.

It developed afterwards that the reason Ives' revolver did not fire a second time was because at Lorraine's ranch, where he had stopped for refreshment before meeting Holter, he had amused himself by shooting at various bottles and decanters and had but one shot left.

Holter determined to kill Ives. He and his partner started out on that terrible quest but at the first place they stopped they were informed that he had been hanged.

Mr. Holter wept for anger and disappointment that he could not have assisted the stern hand of justice in despatching this criminal, whose checkered career and death on the scaffold will form our next chapter.

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## CHAPTER XII

### THE STORY OF GEORGE IVES

By COL. WILBUR FISK SANDERS

George Ives, according to current information, was born at Ives' Grove, Racine county, Wisconsin, where, at the time of his death, he had a widowed mother and some sisters living. The circumstances of his later life were such, that, as is usual in such cases, little can be ascertained of his history.

In the late '50s he was in Oregon, in charge of pack trains, for the United States army, under General Wright and possibly Colonel Steptoe. He was a young man of splendid physique and attractive personal appearance, of indomitable will and a rugged constitution; an accomplished marksman, a bold rider, resourceful, generous and brave; a favorite among the officers and men and other persons with whom he came in contact. It is said that he here became cognizant of a band of freebooters who infested Oregon, lying in wait for treasure, which in these early days had been discovered and then extracted in small quantities, at various points in British Columbia, and what was then central Oregon, and which, nevertheless, amounted in the aggregate to tempting quantities of gold dust, that accumulated upon the trails leading from the mining camps toward Portland, then the principal seaport of the Northwest, and the point of departure by river and sea to California. It has been said of Ives, and it is not improbable, that in some instances, knowing the point of danger from these robbers, he warned the owners of this gold dust who were his friends, of their presence, and enabled them to save their earnings. However this may be, nothing current as to his Oregon history is to his discredit.

He left the employ of the government officers, and early came to the eastern frontier of Oregon. We hear of him at Lewiston, Pierce City, Elk City, Florence diggings and Warren's diggings. Already there were substantial discoveries of placer mines in eastern Idaho, or what is now Montana. How his life was spent during this period, or who were his companions has not appeared. Alex. Carter, another character of some interest to the early pioneers of Montana, seems to have been one of his friends, and if the few rumors then extant concerning him be true, in his activities and qualities he much resembled Ives, although the latter had a personal magnetism which Carter did not possess.

There was a small Mormon settlement at Fort Lemhi, on the headwaters of the Salmon river, which derived its principal consequence from its isolation, and as being the abode of divers and sundry recalcitrant Mormons, known as "Josephites," who, dissenting from the authorities of the church at the "State of Deseret," around Salt Lake, and being disturbed by the hostilities between the Mormon church and the government of the United States, had withdrawn themselves from the turmoil around that inland sea and had occupied, among some poverty stricken and spiritless Indians, their peaceful valley. This settlement misled many travelers, prospectors, adventurers and engineers, who thought that from thence it were an easy task to follow down the Salmon river to its junction with the Snake or Lewis river; an effort in which, by reason of rocky cañons, impenetrable forests and impassable waterfalls, the expedition

of Lewis and Clarke had signally failed, and to which, in the '70s engineers of the Northern Pacific Railroad Company had been compelled to surrender. It required seventy years of exploration to finally ascertain that this route was wholly impracticable.

Ives came to eastern Idaho, as the Beaver Head country was then called, in 1862, lured thither by the report of rich gold discoveries on the Grasshopper, and on Gold creek or "American Fork," as Gold creek was then designated. Enough rumors of gold having been found on the headwaters of streams in the Rocky Mountains, had been floating around in common speech for some years to give credence to the report that it had been found in large quantities, and to make the exaggerations of the richness of these placers easy of belief, and although the earliest discoveries were neither vast nor rich, as gold discoveries are usually supposed to be, they obtained an early repute in both respects beyond what the facts would justify, and as the reports spread by means of casual and irregular messengers, the stories grew in proportion to the distance they were carried, they created the dominant excitement where it was a world of excitement, among the few travelers over a radius of five hundred miles or more. Happily, as prospectors, adventurers, miners, and speculators came, the actual discoveries in richness and area grew apace, so that there was no disappointment, although many disgruntled adventurers, after a brief survey of some of the richest placer mines the world has ever known, retired in disgust, declaring them to be of no value. This was true in the instance of Alder Gulch, in the Beaverhead country, one of the richest mines of placer gold probably in the world.

Although the discovery of gold at the Grasshopper was subsequent to that at Gold creek, its superior richness and easy working, coupled with the greater pertinacity of the discoverers and miners there, created the little hamlet of "East Bannack," and made it the center of interest during the winter of 1862-3. There were other points in this region where discov-

eries of gold in limited quantities were made, but Bannack City held the center of the stage until June, 1863, when it was compelled to surrender to the extensive discoveries on Alder creek, seventy miles east.

Food was somewhat scarce throughout this entire region, as so large an advent of denizens had not been expected, the limited supplies of Fort Benton were early exhausted, and long drafts were required to be made from the Danes and Yankees of Salt Lake valley, and the Missourians who had demonstrated already the fertility of the valley of the Walla Walla. There would have been some suffering at various camps in this Beaverhead country, had there not been a profusion of game. It everywhere abounded. If in the winter some of it became poor, it was, nevertheless, healthy and, supplemented by a little flour, dried fruit and bacon imported from distant regions, it sustained in reasonable comfort some 500 to 1,000 people. Whiskey, tea, coffee, sugar, salt, and tobacco were esteemed luxuries to be moderately enjoyed, if obtainable, or to be omitted in the *cuisine* if not to be had. The Indians looked upon the influx of the miners with sullen disapproval, some of the small settlements were practically besieged and it was not safe for men to travel through the valleys and over the mountains except in companies, and then only with the utmost watchfulness, experiencing narrow escapes or bloody tragedies.

A growing conviction, justified by observation, that the country was rich in gold, gave an air of hopeful cheerfulness to the denizens of these wilds and made their ambition and their courage virtues.

George Ives' advent into these mining camps was a circumstance which added to intercommunication, for he was tireless, well mounted, without a local habitation, sociable, and took an interest in what was happening around him. For some years he had spent his life in the midst of Indian hostilities, and while he did not hold these people in disdain, he was full of strategy, and had confidence in his own resources which had been justified



by many narrow escapes. He met in these early settlements a number of men, who, in other regions, had established a firm reputé as criminals and who had escaped from the justice of the laws which they had violated. Reputations like these had a wide circulation and it was not long before those who bore them recognized each other and were drawn together by mutual experiences and vices. As the best security against punishment for crime, some of them aspired to seize upon the efficient instrumentalities of justice, but Ives seems to have been content to let political offices alone, if so be he could be a free rider along the valleys, through cañon, mountain and plain. In the early summer of 1863 he spent some time in the Snake River valley, along the roads leading to Boise and the Beaverhead country, where, in the vicinity of Market lake he paid a visit to a little party on its way to Bannack, of which I was one.

The horses in use in this section of the country were cayuses or Indian ponies, small of stature, patient of toil, inured to the food and the life to which they were compelled and of great endurance. There were some bronchos or California horses, a little larger in size, tougher in constitution and uglier in temper, who bore the brands of their southern owners. Rarer than these was the tall, rangy American horse, agile, masterful and swift of foot, coveted by equestrians and wherever it appeared, drawing interest and undivided attention. Ives was the possessor of such an one and he sat his saddle like a swan on a billowy lake. He had plenty of money. Upon his visit to our camp near Market lake, he had shown to us a sack of gold dust containing nuggets, the first we had ever seen, and which seemed to our inexperienced eyes, phenomenal productions of nature. Having been so long in the vicinity of the frontier, he was well posted as to those enterprises and industries which insured profit and as it was necessary he should have an ostensible vocation, he established, on Daylight creek in Alder Gulch, a corral for the care of the horses and cattle of wayfarers whose interests

required them to remain in that vicinity for a greater or lesser period. Teams were continually arriving at this commercial center of Alder Gulch; sometimes a single span of horses, sometimes great trains of 26 wagons, drawn by two or three spans of horses or mules. The entire country was covered with nutritious and waving grasses, growing higher than any present observation would indicate. He secured by a claim a ranch for the "night herd" at the head of Daylight Gulch, and upon the divide toward the Madison river and some 22 miles below Virginia City, near Wisconsin creek, he found ample pasturage for another and larger band of horses where he kept his "day herd." Tents furnished sufficient accommodation for his herders, who with greater or lesser fidelity looked after his stock. His business was somewhat extensive but it did not monopolize his time, which was spent in riding, robbery and revelry. Sudden and swift in quarrel if thereto provoked, he was, when sober, sociable, generous, peaceable, and there was not much of the braggart about him. When he was drunk it was difficult to get along with him,—all the demons of passion seemed to be let loose within him. He was of the aristocracy of the Corsairs, and men of lesser courage, wickedness and resources gathered about him as to a magnet.

He did not have the prudence or wiles of Plummer, nor did he act with Plummer's cool and calculating strategy, but he supplemented that remarkable character in a very eminent degree. While Plummer maintained his headquarters at Bannack, which was the gateway out of the country, Ives was circulating through all the multiplying camps in the region, keeping track of mining production, and the larger commercial enterprises, so that he knew where the accumulations of gold dust were liable to be, and when they would probably be carried from the country. No horseman, pack train, ox teams or other trains left that Plummer, Ives, Gallagher and a dozen others did not know whether they transported gold dust in quantities, and this information was a common possession. Along the ways

of exit from the country they maintained "look-outs" and many a miner bit the dust because of his known personal successes, or because he was entrusted with the treasure belonging to his acquaintances. More than one hundred instances of these homicides were inventoried by the early settlers.

The story became a monotonous one. The contempt of human life became a growing quality and murders within the limits of the settlements became of increasing frequency. Pretexts for these, of greater or lesser plausibility were made, but the taste for blood grew upon that on which it fed. Sometimes an aroused volatile indignation refused to accept these pretenses and demanded a more thorough investigation, when Plummer, the great minister of order, would proceed to the investigation, and the affair would be closed, sometimes by suppressing investigations and sometimes by a trial organized to acquit.

Late in the summer of 1863 it began to dawn upon the Virginia City citizens that these highway robbers were plying their vocation with great industry, but as they dominated the executive offices of the volunteer tribunals the mouths of the suspicious were sealed. With increasing certainty and ever-widening scope, this open secret, at first a suspicion, grew into an absolute certainty, told in whispers; and strangers in the country who had gained each other's confidence, began to consult as to the protection of their enterprises and themselves, and even dared to speak confidentially the names of the guilty parties.

Plummer's prudent reticence delayed suspicion as to him longer than some of the others, and quite a number of the robbers were known before Plummer was suspected. He was a candidate for United States Marshal of the new territory with respectable but limited support. He was able to render his subordinates good service by misleading public opinion and misdirecting this suspicion, but by the autumn of 1863, public fame, informed by a multitude of circumstances, pointed her unerring finger at as bloody a company of bandits as ever rode the plains.

In the summer of 1863 Messrs. Clark and Burtchey came to Alder Gulch from Colorado, and locating at Summit, engaged in various industrial enterprises at that place. Not having use for all their teams, and esteeming highly a large span of mules, which had arrived at the end of its long journey in an exhausted condition, Mr. Clark had turned them over to Ives that they might recuperate at his ranch on Wisconsin creek, where they remained for a considerable period of time. Having occasion to use them early in December, he sent a young man after them. This young man was a German, who, accompanying his parents up the Platte, had been left an orphan by the Indians, who had killed his father and mother. He was living with, and probably adopted by Henry Clark, with whom he was a great favorite. His absence after the mules was greatly prolonged, when about the middle of December, his mutilated body in a light freight wagon, covered by a blanket, was drawn up Alder Gulch to Virginia City, in charge of one William A. Palmer, the keeper of a saloon and dance-house at Nevada City. Mr. Palmer, a few days before, had gone to Wisconsin creek and its vicinity on a hunting expedition, and shooting a bird on the wing, he discovered a dead body near where his game had fallen. It was a gruesome sight, having already suffered from birds and beasts of prey, and he was greatly disturbed at his find. Seeing the tents of Ives' headquarters not far distant, he endeavored to secure assistance from their occupants to load the body into his wagon, that he might convey it to Virginia City for burial, but he was met with a rebuff and expressions of some surprise that he should concern himself so much at a circumstance, which he was assured was one of frequent occurrence, happening indeed, almost every day. Nothing daunted, however, he rolled the frozen body into a blanket, lifted it into his wagon and returned to Virginia City, making frequent stoppages in the gulch for such consolation as would strengthen his courage and relating the circumstances of his discovery. A more than usual interest was ex-

cited in the homicide, which was heightened by the mutilated form of the boy, which for purposes of identification was frequently examined by the citizens along the gulch. There was no wagon road from Virginia to Summit, although over the hill, as far up as Highland, there was a timber road, and I think the body of Tbolt, enclosed in a pine box, was packed on the back of a burro to Summit and buried. Of this, however, I do not feel sure.

In one or two days thereafter, a mounted party from Summit reached Virginia City in the afternoon, where they were joined by some citizens and it was reported that their errand was the arrest of the murderers of the young man, if they could be ascertained. Of this party were Henry Clark, George Burtchey, Elkanah Morse, Nelson or Elias Story, H. K. Harvey, and one or two others from Summit, and they were joined at Virginia City by J. X. Beidler, Thomas Baume, Frank Angevine and some others, and wended their way down the gulch. They proceeded to the point where the body had been found and at early dawn the next morning swooped down upon the tents which constituted Ives' ranch and awakened five or six sleepers somewhat suddenly, all of whom they arrested. Taking charge of their arms, they proceeded to examine the prisoners separate and apart, and ascertaining that two or three of them were wayfarers stopping over night, without identification with the location, they detained only George Ives, George Hillerman, (known in the slang of the day as "The Great American Pie-Biter") a man advanced in years, without much dominant force or intellectual possession, and John Frank, known by the soubriquet of "Long John." Ives proffered them a breakfast, of which they partook, and bringing in from the herd, horses for the prisoners, they saddled up, and started for Alder Gulch.

It was three or four miles to Dempsey's Bridge, across the Stinking Water river, which at that time was a prominent point, where the robbers had established a lookout, and kept a picket, who advised them of the coming and going of travellers on the Bannack road.

Jimmy Gibbings, a young boy, discharged most of this duty. On the way up the river Ives boasted of the speed of his horse and challenged the party to a race, and came near making his escape by that ruse.

I have no desire to inventory Ives' crimes. During the summer he had spent some time in the Snake River valley with every insignia of a highway robber, at points where highway robberies and murders were frequent, introducing himself to strangers or being introduced by companions as "Judge Lewis from the upper country," the Hon. E. P. Lewis, formerly of Sumner, in Kansas, being an excellent and popular citizen in this region. There was no definite proof, however, of Ives' complicity with these early robberies and murders, nor could they be traced to any particular person.

In the late summer he returned to the Beaverhead country, and although frequently at Bannack, Virginia City and other settlements, his headquarters were in the saddle. Two or three vagabond herders and a manager being sufficient to conduct his business, gave him leisure to pursue his inclinations as he chose. He was drunk in the towns with increasing frequency, and he used to ride to the doors of the mercantile establishments and borrow money with great informality and without consulting deferentially the desires of the merchants to make the loan, omitting also any suggestion as to when it would be returned. However, in many instances, the gold dust so obtained was repaid.

It was his favorite habit at this time, dismounting at the door of a saloon or store, to enter the house leading his horse in with him, and departing when his visit was concluded.

Late in November, as I was starting from Bannack to Virginia City, Henry Plummer asked me if I knew Ives, and telling him that I did, he handed me a letter addressed to him, with a request that I deliver it when I should see him. The morning after my arrival in Virginia City I saw Ives on his horse in front of the store where I made my headquarters, and I handed him Plummer's letter and re-



turned to the table in the building where I did my work. In a few minutes Ives entered the door, leading his horse to the back part of the store, where I was sitting, and thrust into my hand Plummer's letter, with a request that I read it. I disclaimed any interest or curiosity as to its contents, but he insisted that I read it and I did so. It contained a statement that Plummer had met Ives' partner at Bannack, who had inquired as to his location, saying that he wished to start the next week for Salt Lake City, and desired Ives to come and settle and divide the partnership property, and saying he thought he should come at once. I returned the letter to Ives without further thought as to the significance of its contents and it has been left to my imagination since that time to wonder what it portended.

On the 18th day of December I was at Nevada City, having a final interview with gentlemen who had taken an interest in endeavoring to secure the creation and organization of a new territory in eastern Idaho, and was about to return to Virginia City, whence the next morning I was to go to Bannack, my home, and where I anticipated spending my first Christmas in the mountains, when my attention was attracted to a cavalcade of horsemen coming up the main street. As they approached I recognized them as the men who had gone down the gulch the day before to detect and arrest, if possible, Tbolt's murderers, with four or five additional persons.

Twilight had already come, and they stopped without dismounting, in the middle of the road and continued a discussion as to whether they would take the prisoners to Virginia City, or remain with them at Nevada. From the trend of their observations it was apparent this had been the subject of some previous consideration. There were those who thought it was due to the prisoners that they should have the selection of the forum of their trial, and Ives expressed an earnest desire to be conducted to Virginia City, where he said he had "friends." Others were of the opinion that deference to established custom required that the prisoners without regard to the mere de-

sire of any one of them, should be tried by some substantial tribunal nearest the scene of the tragedy,—a vague recognition of the value of the Anglo-Saxon doctrine of the jury and the vicinage. Upon putting the question to the vote the prisoners and Jimmie Gibbings assumed to vote, and the question seemed to be in danger of becoming a tie, when someone insisted that it was a matter upon which none should vote but those who had made the arrest and had charge of the prisoners, and so it was determined that they should be tried in Nevada mining district, which was nearest to Ives' ranch, with the insignificant exception of Junction mining district, then in a chrysalis and feeble state, having been recently organized. The prisoners were taken to a small warehouse on the main street which seemed to offer reasonable security and accommodation, their blankets and robes were given them, a guard appointed and the crowd dispersed.

On my way up to Virginia City I met a lawyer of prominence and ability hastening down to Nevada, who advised me that some of his clients were in trouble, having been accused of and arrested for the murder of "the Dutchman." He said he was counsel for "these fellows" whoever he may have meant thereby. This lawyer was James M. Thurmond, who asked me to return with him, stating there was an opportunity for me to make a good fee, as they had plenty of money. I proceeded toward Virginia City, and shortly met another lawyer, John D. Ritchie, one of the earliest practitioners in this region, who was considered essential to the winning of cases, whether before mining judges, or juries, or miners meetings. He was already far gone with consumption, against which he made a stout fight for a number of years, finally dying at Missoula.

Arriving at the foot of Wallace street in Virginia City, I saw Harry Percival Adams Smith, another lawyer, who, though somewhat demoralized, was a man of very remarkable ability. He was fortifying himself at the last place of entertainment, for his journey to Nevada, and advised me that he had been sent

for to help some of "the boys" out of a scrape. These three lawyers were somewhat remarkable characters. All of them were men of ability, who seemed to consider their profession required them to thwart the administration of justice by all the means they could invent.

The next morning in the store of D. W. Tilton & Company, where A. J. Oliver & Company, kept their express office, which assumed largely the business of a stage and postoffice, I was purchasing my ticket for a passage to Bannack, when I was accosted by A. J. Culbertson, with the statement that the Lott Bros. wished to see me at once at Nevada. I told him I was going through Nevada on the stage in the course of a couple of hours, and would take occasion to see them as I passed through. He stated to me, however, that there was much urgency in their desire, and that he thought I should go to them at once without waiting for the coach or purchasing my ticket, and I accompanied him forthwith to Nevada.

Arriving there I was advised by these gentlemen that the lawyers then practising in Alder Gulch had all been engaged, so far as they could ascertain, to defend the murderers of Tbolt; that the testimony which had been secured demonstrated that the guilty parties had been arrested, that it was a most cruel murder, and they greatly desired that I should remain to prosecute the defendants. I had not been present at any trial for homicide in the mountain region, but my ears had been filled with stories of the provoking miscarriages of justice with a single exception, arising largely from the disinclination of participants to accept the responsibilities which their position imposed. The courts would disclaim responsibility as to the facts of any murder, and lawyers would tell the jury that if the defendant was guilty he should be convicted, but if they entertained a reasonable doubt he should be acquitted; that the jurymen were the judges of the facts and that they must do what they thought was right, etc. The lawyer disclaimed any inclination to argue upon one side or the other as to the guilt or innocence

of the parties accused. Of course, the preliminary motion to quash the proceedings, to defer the trial, to continue the case, to delay the matter until the sense of offended justice had somewhat died out of the community; till opportunity had been afforded to ascertain who were the witnesses; to scatter or manipulate them by such persuasion as they were susceptible to, were as well known then as now and were practised with unfailing uniformity. I had made up my mind in the light of all this history and from my knowledge of human nature, as it appeared in the administration of criminal law, that if I should prosecute any case, I would push it with the utmost vigor, and if the guilt of the accused were certain, that the retribution should be swift and absolutely remorseless. This was essential in defense of every person who took a responsible and active part in the prosecution, and it was a matter also of personal self-defense. The surroundings did not wholly prophesy the character of the prosecution, nor all that transpired, but I accepted the position.

Having gathered from the members of the *posse* the story of the killing of Tbolt, as they had ascertained it from John Frank and others, I interviewed him and Palmer, who had discovered the body, and found them apparently willing to testify. The citizens of Nevada and miners from up and down the gulch had assembled in considerable numbers before noon upon a mining claim between the main street of Nevada and Alder creek, and I went there, practically an unknown person, to find a meeting presided over by Hon. Don L. Byam, and the lawyers and miners considering the code of criminal procedure to be observed in the trial of this particular case. In the absence of the defendants, their lawyers were desirous that the trial should be in the regular form, before a miner's judge and a jury of 6 or 12 men selected in the usual way, but it had already been voted that the trial should take place before the miners of the gulch *en masse*, to be presided over by Judge Byam, with the assistance of the judge of Junction mining district below Nevada, who fulfilled

the office of *puisne* judge, and a motion was made that lawyers should not be permitted to participate in the trial. This question begot a heated discussion in which Messrs. Thurmond, Ritchie, and Smith took an important part, and with Col. J. M. Wood and some other citizens, advocated the right of the parties to be represented by counsel. The proposition however, was vehemently, if not stoutly opposed by a great many orators present from the sluice-boxes and the unfortunate lawyers suffered much depreciation and excoriation. The discussion lasted for an hour or more and one of the participants, most loud-mouthed and censorious in his denunciation of the profession, was the owner of a mine at the mouth of Brown's gulch, who had recently belonged to a Detroit regiment in the Federal army and who, upon this occasion wore his uniform. It may seem laughable or even trifling; but watching the drift and current of speech I do not doubt but that his uniform lost him his case.

After the discussion had been unduly prolonged, someone suggested that he would like to hear my opinion as to the advisability of permitting lawyers to participate, and in response to the invitation, I mounted the wagon and looked out upon the heterogeneous crowd with a few exceptions, being to me entire strangers. I was conscious that I was subjected to a somewhat inquisitive inspection, for the lawyers who represented the defendants, to that moment were the leaders of the Bar and represented its intellect and influence in the various controversies appealing to courts and masses for determination. There had been added that morning to the trio I have already mentioned, Alexander Davis, Esq., a most excellent and pertinacious gentleman, who was a substantial addition in more ways than one to the defendant's strength.

There were, indeed, three or four other lawyers in the gulch, who subsequently practised their profession, but they had not yet assumed to practise law there, or were such new arrivals that their capacity had not become known. I did not think it desirable to appear as taking a great interest in the question of

permitting counsel, although my own conviction was, that if the defendants desired lawyers to defend them it should, under all circumstances, be granted. I said to the crowd that in determining a question of that character they should have regard to the final result, that if the parties should be tried and convicted or acquitted, whether they would be more satisfied with the result according as they had granted or refused them the privilege of being heard by counsel, and that I thought they should consider the matter seriously in that light. I mentioned casually that I had been spoken to by friends of the party who had been killed to prosecute the case, if lawyers were permitted to participate, and that I trusted we should be able in that case to come at the truth of the matter, and protect all the interests confided in our care.

The crowd looked at me curiously, as if taking the measure of my ability to cope with the great lawyers of established reputation who were on the other side and they did not give any sign of satisfaction with the condition. However, on putting the question to the vote, our ex-Federal soldier was beaten and it was determined that the defendants should have the benefit of counsel, if benefit it were.

It was late in December and the weather was cold. It was very evident that the men who were to try the defendants, would not, all of them, hear all the testimony and therefore, upon my motion, it was resolved that they should be separately tried, and that as to Ives, who was universally recognized as the principal culprit, we should have from each of the mining districts 12 jurymen, making 24 in all, whose duty it should be to listen to all the proof and give such advice to the meeting as justly resulted therefrom. Whereupon Judge Byam wrote the names of 12 miners, Judge Wilson the names of 12 others, and it was moved that these 24 should constitute the jurors in the case, whose duties were advisory merely.

The excitement of the crowd meanwhile had greatly increased. From 8 to 10 miles up the gulch, and 2 to 3 miles below, the miners,



with their guns, were arriving in great numbers, until a 1,000 or 1,500 had assembled around that wagon. At this stage of the proceedings, Mr. J. B. Cavan, a bailiff or deputy sheriff of Henry Plummer's, mounted the wagon and read a list of twelve names of citizens of Fairweather Mining District, whom he moved should be added to the 24 already selected. I thought the jury somewhat clumsy by reason of its number and I objected to adding the list of Mr. Cavan thereto, saying that it appertained to the organized mining districts with a chosen judicial autonomy to try the defendants, which were nearest the scene of the crime; that we had included Nevada mining district by reason of the incompleteness and smallness of the organization at Junction, and that I did not think it wise to enlarge it by going yet further up the gulch, and that no reason could be given, if we did proceed further, why Highland mining district and Pine Grove and Summit might not also claim the privilege of increasing the number of the jury.

The deliberations of the forenoon and the vote upon the proposition to allow Ives the privilege of counsel, not only gave confidence to the lawyers, but it emboldened his chums, allies and sympathizers in the crowd, who took a very active part in the proceedings and in the applause, which became rather frequent, and it was apparent that a fight was on of very great strenuousness. The "good fellows," the popular fellows, the generous fellows, the well-known fellows,—in short, the "boys," without care or knowledge of Ives' guilt or innocence, led by half-dozen active colleagues of Ives, had interested themselves in the controversy, and made that interest manifest by encouragement or interruptions, with great freedom. When I had finished what I had to say against adding to the twenty-four jurors another list from the district above, Mr. Cavan vehemently shook a paper containing this list of names in my face, and before the assembled miners said:

"Perhaps you have something to say against the character of these men I have named!"

As a matter of fact I did not know one of them, but as he had read the list I recognized the name of a prominent gambler at Virginia City, with whom I subsequently became acquainted, and feeling bound to maintain the rights of the prosecution there, I replied that I had nothing to say against the list of names, that I did not know one of them, and that if what I heard with reference to some of them was true, I had no desire to make their acquaintance. This excited his anger to an intemperate degree and standing by my side, speaking to me for the benefit of the crowd, he said:

"I will hold you personally responsible for that remark!"

The whole tumult of the Ives trial arose at that moment. In that strange, new country it would not do to treat a remark of that kind with indifference, nor the speaker without some personal attention, and in language as pregnant with meaning as I could select, I gave him a verbal castigation in the presence of that crowd which permitted no misunderstanding as to its significance. I said I was busy in a matter which occupied my time, that I did not fail to comprehend the meaning of his remark when used by gentlemen, that evidently he had indulged in that speech to advertise a courage which he did not possess, that I was reasonably certain that he was a coward, but that at the close of the trial I should be in the vicinity and could be found. This little colloquy stirred the miners profoundly and by their cheers they seemed to think he got no more than he deserved and they looked at me with increasing interest and apparent confidence.

I think it just to Mr. Cavan to say that a subsequent acquaintance with him, and a knowledge of his career for some time thereafter dissipated any supposition that his action resulted from sympathy with highway robbery and murder, or desire to shield and protect the guilty, but that it was a move by him which he thought would be popular and make him friends.

It was now noon and Judge Byam declared

the meeting adjourned till after dinner. Robert Hereford was Judge Byam's executive officer in his position as sheriff of Nevada mining district, and Adriel B. Davis, the sheriff of Junction mining district, acted as Hereford's deputy. At this time Judge Wilson approached me and inquired if I desired assistance in the prosecution and oppressed with the growing consequence of the battle, I cheerfully said I did. He informed me there was a lawyer engaged in mining at Junction, who, he thought, could render valuable help, and I asked Judge Wilson to introduce me to him. He brought to me a short, stubby, hairy, fatherly-looking man, somewhat rude, of dilapidated garb, whose bootlegs did not have sufficient fibre to stand up and into one of which he had vainly essayed to tuck one of the legs of his pantaloons. He spoke intelligently, and made it manifest that his indignation was deeply stirred by the events which had taken place, and I counted it fortunate that on all accounts such a find had been made. His name was Charles S. Bagg, and I found no occasion to regret his identification with the prosecution. If the lawyers for the defense appealed to the miners on questions submitted, the appeal of my colleague was with greater frequency and intensity to the Almighty, with whom, judging from his speech, he was on terms of considerable intimacy. He lacked nothing of audacity and volubility, and being himself a miner, he appealed to the assemblage on their own level with great effect, his courage was equal to the duty and he rendered good service throughout the trial.

After dinner the scene of the event was changed from the mining claim where the morning session had been held to the east side of the main street in Nevada, where a big Schuttler wagon had been drawn up in front of a two-story building, some seats arranged for the court, counsel and prisoners in the same, and a fire had been built on the ground near the wagon from cord wood which some unlucky woodman had the misfortune to have placed there. William Y. Pemberton, Esq., then a genial young lawyer living at Virginia

City, was appointed amanuensis and a table was provided for him near the fire. A semi-circle of benches from an adjacent hurdy-gurdy house, had been placed around the fire for the accommodation of the twenty-four jurors and behind that semi-circle a place was reserved for a cordon of guards, who with their shot-guns or rifles, as the case might be, marched hour by hour. Beyond them, and 'round on their flank stood a thousand or fifteen hundred miners, teamsters, mechanics, merchants, gamblers,—all sorts and conditions of men, deeply interested in the proceedings. As a rule, it was a good-natured crowd and not unduly boisterous and all had the right of participating in the discussions and other proceedings if they chose, of which quite a number from time to time availed themselves. There was frequent objection to the relevancy or pertinency of proposed proof, and whenever a proposition was submitted to a vote, the absent participants were summoned from the restaurants, saloons, stores, barber shops and other places of resort to give their vote upon the objections, which were generally without merit and were overruled.

Though it was cold, there was very little suffering and during the middle part of the day, the sun which swung lazily around the southern horizon, gave some warmth, the miners were generally comfortably dressed and did not make any complaints nor abandon in the least degree, the purpose for which they had come to the trial. Another freight wagon with a very high seat, had been conveniently placed for the accommodation of the witness who was testifying, in view of all the persons present. The first witness was Palmer, who, mounting the high seat above the entire crowd, presented a somewhat uncouth appearance, as with bared head and long hair hanging upon his shoulders, he told the story of his acquaintance with Ives, his finding of the dead body, his application for assistance in loading it into his wagon and the declination thereof. This story he told in a loud and confident voice, with perfect freedom, and apparent willingness and his manner seemed to give confidence

to the subsequent witnesses. Expectation stood on tip-toe as to what the proof would be, for rumor asserted that someone had turned State's evidence, if that is a name to apply where it was a thousand miles to a state.

From the opening of the trial new facts began to come to the ears of the prosecution, told generally in whispers, with a request that the name of the person imparting the information might be withheld, or in some instances, that it might be made to appear that the information was compulsorily extorted. The afternoon of the 19th of December saw the trial fairly under way, the miners adjourned till nine o'clock next morning and the prisoners were remanded to the warehouse under guard.

There was no lull in the excitement, while rumours came from every point of the compass, prophesying dire disaster to the prosecution or defense, according to the inclination of the prophet or liar who invented them. Detectives and pickets were detailed to watch events during the preliminary proceedings and for the first day or two of the trial "Alec" Carter and "Doc" Hunter, with a half dozen other friends of Ives, who were believed to be identified with him in his crimes, had been very active in his behalf, insisting upon whatever in their judgment, would insure his acquittal. Plummer, the acknowledged civic magnate of that gulch and the entire country and the elected sheriff, under the mining regulations of two districts remote from each other was a name to conjure with, an object of great interest, and rumour affirmed that he was on his way from Bannack to take the prisoners from the possession of the party who had them in charge and on trial. As a matter of actual fact, when the prisoners had been brought to Nevada, by the advice of their counsel, George Lane, brutally nicknamed "Club-foot George" had been dispatched in the night to Bannack for Plummer's presence and assistance. But there were rumours circulating in Bannack which disturbed the confidence of Plummer and illustrated that "uneasy lies the head that wears a crown." It was said there, that there had been formed in Alder Gulch a

great vigilance committee intent on ridding the country of the lawful authorities and divers and sundry good citizens besides, whose names were given with a view to add to the obloquy of such a movement. These rumors found credence with Plummer and with other folk in Bannack and a picket post was established on the top of the mountain divide, between the Grasshopper and the Rattlesnake, to watch the approach of such a party so all the importunings of Plummer to go to the rescue were declined.

Ives was primarily accused and tried for murder and in tracing his whereabouts for the summer and fall preceding, circumstances of robbery and murder thickened around him and the names of his companions on these forays were blurted out by witnesses with a brutal frankness, and the testimony assumed a wider scope than the mere proof of killing Tbolt. As the names of these active participants, in the earlier portion of the proceedings were frequently repeated, under circumstances showing their identification with Ives' crimes, a prudent regard for their own safety silenced them, and retiring to the rear of the crowd, they became less prominent, and indeed, during the progress of the trial some of them disappeared. Of course, such an assemblage was a motley one, made up as it was of all classes of people inhabiting the gulch. Generally it may be said they were sober, industrious, adventurous, hard-working miners, with a clear conception of their rights to be, to do, to have and to keep; with a strong sense of justice, born, not of studying the definition in books, but of that experience derivable from contact with the world and its affairs. Merchants and freighters, mechanics and teamsters equally sober and impelled by like convictions, constituted a limited fraction of the crowd.

One of the active participants in the discussion was a man from Georgia, Col. John M. Wood, who divided his time among mining, speculating, carousing and preaching the gospel to congregations yet ruder than he. His motive in mingling actively in this trial was probably a desire to introduce himself to the



community and establish his character as a man of some consequence, for with all his activity it is not probable that he had any sympathy with the crimes then frequent. He had come from Colorado, and what though he clung to his Baptist religion with great vigor, he had a wild latitudinarianism which rendered it very uncertain on which side of any controversy impinging on morals, he would be found. In the various discussions in which he took part, he was uniformly found, for reasons which he plausibly dressed, on the side of the culprits, until the crowd, which through all the proceedings, maintained an imperturbable good nature, occasionally jeered him. I am sorry I cannot name all of the miners and others who participated in these discussions, which prolonged the trial unnecessarily, but it was thought advisable to give the amplest latitude to the discussion and an equal freedom to decision.

The testimony of John Frank, given freely and with apparent candor, told the circumstances of the killing of Tbolt. Tbolt had appeared at Ives' ranch, or headquarters, presented the order of Mr. Clark for the mules and they had been brought up and delivered to him. They were large and very valuable, and feeding on the nutritious grass had become silky and high-spirited. When Tbolt came to settle the bill, his buckskin purse, out of which the dust was weighed, contained three or four hundred dollars. Mounting one of the mules, he started across the valley toward the highway leading to Alder Gulch. After he had departed Ives suggested that it was a pity to let all that money go and the mules also, and when, by the toss of a gold coin, the lot fell to him to prevent it, he saddled his horse, examined his revolver and galloped after his victim. Returning with the mules in a short time, in a spirit of explanation or bravado, he said that it seemed cowardly to shoot a fellow in the back, and when he approached near enough, he hallowed and when Tbolt turned around, he made a center shot, hitting him in the head. He took the purse, and drove the mules back to camp.

The stage drivers upon the line from Virginia City and Bannack, regular and occasional, gave much information as to Ives' connection with robberies and murders occurring along that highway and of persons who were cognizant of the same, but it was thought prudent to excuse them from testifying, because of their necessary exposure to the vengeance of Ives and his partners in crime, but the proof of the killing of Tbolt, of the fact that Ives had been engaged in coach robberies, had perpetrated other murders and had spent weeks along the line of exit out of the country where treasure was carried, was ample and absolutely conclusive. The foolish attempt by some of his partners in crime to establish an alibi as to some of these crimes broke down ignominiously, and it became very apparent to his counsel on the second day of the trial that if he were to be acquitted or otherwise escape, it must be for something other than the result of the proof, and with great ingenuity they sought to bring the prosecution into contempt, and excite the prejudice of the crowd against it. Long John, who had turned State's evidence, and related the circumstances of the main tragedy with great distinctness, and who had been corroborated by many circumstances relevant and irrelevant, came in for the seven vials of the lawyers' wrath. They dwelt with great fervor and indignation upon the infamy manifested by a participant in crime, who would "peach on his pals," and argued that whatever might be said as to the actual perpetrator of the crime, the traitor should never be permitted to escape. A code of morals sounding very much like this, reappeared in Montana a generation later. Before Ives' case was disposed of, his several lawyers seemed to think they had firmly established the proposition that whatever was the result as to Ives, Long John certainly should be executed.

The great excitement culminated upon the last day of the trial which was almost wholly devoted to the arguments of the case. The proximity of two hostile armies would not have been more productive of wild, contradictory, and misleading rumors than were the

circumstances of this investigation. The air was filled with all manner of tragic and absurd reports of what was doing and being done and going to be done, elsewhere, pertaining to the trial, but the crowd hung to the investigation with a tightening grip which no alarming tale of possible discomfiture could in the least degree relax, and on the morning of the 21st of December, the case opened with as large an attendance and as firm a purpose as existed when it began. During arguments upon the admissibility of testimony many of the facts had been discussed and the final arguments of the case were threshing over old straw. In these preliminary arguments Messrs. Davis and Smith had largely engaged, being gentlemen of ingenious talents and great plausibility of speech, and Messrs. Ritchie and Thurmond had somewhat reserved their efforts for the final arguments. If the rumors contemporaneous with the introduction of proof augmented the excitement to fever heat, the arguments of counsel added fuel to the flame. I cannot think that the testimony introduced to that assemblage left a particle of doubt in the mind of any spectator of the following five facts:

- 1st. That Ives killed Tbolt as charged.
- 2nd. That he had committed a half dozen other murders of equal cruelty in the vicinity.
- 3rd. That he was the leading actor in robbing the stage passengers between Rattlesnake Ranch and Bannack in October, when Dan McFadden, Leroy Southmayd and others were passengers.
- 4th. That he had pursued the vocation of a highway robber for a number of months along the roads leading to Salt Lake City.
- 5th. That he belonged to the criminal classes and that his appetite for blood had grown till it became a consuming passion.

Ives' demeanor during the trial was quiet, and without apparent anxiety; he did not prejudice his case by any unmannerly demonstration, contrasting in this respect with his counsel, who, at times seriously tried the patience of their auditors. The opening argument was by Mr. Bagg and was a strong appeal to the

citizens who had isolated themselves and endured the hardships of mining and mining life to better their condition, now that they had certainly found one of the free-booters who infested the highways, to make of him an example to all persons in like manner offending.

When the arguments opened I sent a note to Mr. John A. Creighton, a popular merchant at Virginia City, a king among the pioneers, telling him that the crisis had finally arrived and asking him to bring with him all the good men he could find, and remain until the end.

The people of the West are very susceptible to the influence of speech, possibly not discriminating very closely as to its proprieties, and statements, that an able speaker will occupy a given rostrum, will attract more hearers in the West than elsewhere, and in that early day without newspapers or magazines or frequent occasions for oratory, such a symposium as was there promised, attracted nearly every person in the Gulch to Nevada. The counsel for Ives were unquestionably discouraged with the strength of the case for the prosecution, at the poverty of their own resources for the defence and some humiliating exposures of the invalidity of the defence which they set up, and some of them indulged in libations much beyond what prudence would have dictated, though none but Mr. Ritchie seemed to have impaired their keenness of intellect by such indulgence. The hindrances during the progress of the trial seriously taxed the patience of the miners, who were eager to return to the claims which they were opening, to take advantage of the first rush of waters and they interrupted counsel for the defence frequently, by cat-calls and other signs of disapproval, feeling that their good nature and generosity were being imposed on, as indeed, in instances, was unquestionably true. I found frequent occasion to importune the crowd, whatever they felt was the provocation, to give them the amplest opportunity to say everything which they desired; an appeal which was, in every instance, I believe, suc-

cessful. Occasionally there would burst from the throat of some witty spectator, a remark which would set the crowd laughing and sometimes a labored argument of a lawyer would be exploded by a common-sense observation from some hard-headed miner in the audience, who would wipe the elaborate structure of counsel off the board in five words.

There was no bad temper in the crowd, except as to some of Ives' friends, but rather a stern purpose to see that complete justice was done, whatever and whoever stood in the way, and the passion grew as the speeches continued and the hours waned.

Mr. Ritchie followed with an argument for his client, as good probably as could be made, but which did not, in my estimation, call for any special remark. He appealed to the softer side of human nature and clearly demonstrated that Tbolt could not be brought back to life, that everybody knew Ives was a clever fellow, generous and a little wild, and no one could tell what were the circumstances under which Tbolt was killed. Ives himself did not testify. Mr. Thurmond followed Mr. Ritchie, who, having become physically exhausted, repaired to some neighboring place of entertainment where liquid delights, as they are misnamed, were dispensed, and having somewhat overestimated his capacity in that regard, during the balance of the arguments sat around muttering his discontent at the "outrages" which he saw in progress before him.

Thurmond was in many ways a masterful character; if a little coarse, he was strong in intellect, he had considerable pride to bring himself into the good opinion of those who met him and his views generally agreed with, if they did not take their shape from the prevailing influences about him. His plea for Ives was able but it fell upon dull ears. A hundred or two men who would have been glad to see Ives acquitted more as a proof of their good nature than otherwise, and the few who had been his companions in crime, at this stage of the proceeding, constituted the outer

portion of the crowd, whereas two days before, they had been in its fore front.

The sun went down about the closing of the arguments, the night air became more chilly and those habituated to drink made more frequent visits to the saloons, of which there were a great number in the streets and alleys of the little hamlet. The fire was blazing brightly, and by the directions of the judge, the twenty-four jurymen retired to a neighboring store to consider what their report should be. The audience remained standing, as of course they had been during the three days of the trial, but they did not disperse.

Illustrative of the methods by which counsel for the defence sought to obtain sympathy for their client and prejudice the prosecution, both Mr. Thurmond and Mr. Ritchie had referred to me as "the gentleman from Oberlin." In some cases that might have been of assistance, but in this particular case it did not do them any good. No one at the present time can fully appreciate the stigma, contumely and obloquy in such an audience, ordinarily attaching to the epithet "Oberlin." Of course, it was not a geographical location, but an intellectual, political, ethnological expression, designated to be a "crusher" when less Herculean methods had failed. It had occurred, much to my regret, that although living within forty miles of that historic town, and having some acquaintance with its professors and students, I had never been able to attend a commencement of President Finney's famous college. Indeed, except to be whirled through Oberlin on a swiftly moving train, I had never been there, but I was disinclined to enter a plea of "not guilty" and amid the cheers of the assembled multitude, four-fifths of whom hated the name, Oberlin got a certificate of character, which, if it did not do her any good, extracted the virus from the railing accusations which had been made against the counsel for the prosecution.

It was apparent from the opening of the trial that law and order or order without law, had locked horns with crime and that it was to be a fight to a finish. All through the trial



I had been considering what course should be pursued when it was made manifest that Ives was guilty, and he should be so declared, and I had resolved inexorably that at that instant, if I could influence events, he should be consigned to swift destruction. The blood of too many desperate characters was up and it seemed due to everybody connected with the prosecution that a vengeance so swift and so stern should follow his conviction as to cause it to be known that henceforth peaceable people would be in possession of their own. I felt instinctively that the trial would culminate in a situation of much delicacy.

The twenty-four jurymen returned to their benches with a report in writing that Ives was guilty of the murder of Tbolt as charged, but I do not remember whether they took cognizance of his other offences or not, and this report was signed by twenty-three jurors only; Henry Spivey declining to sign it not from any dissent but for prudential reasons. The instant that report was read from the wagon, I made a motion, reciting that whereas George Ives for the murder of Nicholas Tbolt had been given a fair and impartial trial, with the privilege of being heard by counsel and witnesses, and had been reported to be guilty, that we approve of the verdict of the jury, and declare it to be the verdict of the miners' meeting there assembled, and Judge Byam, without a moment's delay put my motion, and it was carried with a very loud shout, more than four-fifths of the citizens voting for the same. The significance of this movement did not seem to be appreciated by the defendant's counsel, and I instantly supplemented it with another motion, that George Ives, for the murder of which he was convicted, be now forthwith hung by the neck until he was dead. This motion being seconded, with equal promptness Judge Byam put the motion and it was carried. It seems to me there was a feeble protest from Mr. Ritchie as to this last motion, to which it was replied that by the judgment of the meeting, Ives had committed the murder and punishment by hanging was the penalty. Whatever the facts were, there was

no doubt as to the result, and Ives' friends, somewhat dazed by the swiftness with which these motions came, and the overwhelming support they received, turned their attention to an endeavor to have Long John hung at the same time.

Mr. Hereford and Mr. Davis were called to the wagon and directed to carry the command of the meeting into immediate execution. Increasing the guard over Ives, who sat in a chair by the fire in front of the wagon, they went to find a suitable place to be used as a gallows. A cordon of pickets was stationed around the prisoner and the jury, all armed to the teeth, and the final event was awaited with profound expectancy, the agitation momentarily increasing.

Ives finally arose from his seat and came up into the wagon where I was standing. The excitement through the crowd was intense; a battle could scarcely have added anything to it. Ives came to me and took me by the hand. If there was any tremor in his voice, or tremulousness in his person, I did not detect it and the great crowd, always muttering something, was hushed into profound silence. For three days I had been expecting that this moment of exigency would arrive, and my mind was immovably made up as to what should be its outcome. Ives began by saying:

"Colonel, I am a gentleman, and I believe you are and I want to ask a favor which you alone can grant. If our places were changed, I know I would grant it to you and I believe you will to me. I have been pretty wild away from home, but I have a mother and sisters in the states, and I want time to write them a letter, and to make my will, and I want you to get this execution put off till to-morrow morning. I will give you my word and honor as a gentleman that I will not undertake to escape, nor permit my friends to try to change this matter."

I need not say that the appeal was one of great strength, but a simple event occurred, somewhat characteristic of the whole trial. One of the most noticeable, active and valuable men during its progress was a diminutive,

short young man acting as guard, vigilant, supple, observant, now here and now there wherever anything was to be done to secure the orderly conduct of the affair. He carried, as did the majority of the crowd, a shot-gun, the muzzle of which stood up a few inches above his head. He had gone from the crowd across the street and climbed upon the dirt roof of a low, log cabin, where, from a ridgepole on the dirt, he was surveying from the rear, the crowd surrounding the prisoner. Ives' request, spoken in an ordinary tone of voice, reached his ear, when he forthwith hallowed across the street:

"Sanders, ask him how long a time he gave the Dutchman!"

At this remark there was a ripple of laughter through the crowd and while I had no thought to grant Ives' request and was reflecting in what manner of speech I should refuse it, and yet satisfy the sense of propriety of the miners, I have to confess that X. Biedler's remark lifted a considerable load from my mind. I replied to Ives:

"You should have been thinking of this matter before; get down there; may be you can write a short letter to your folks before the sheriffs return for you. As to your property, I will make a motion which I think ought to satisfy you."

He let go of my hand without response, jumped out of the wagon, sat down by the fire where some of his counsel were, and was furnished with a sheet of paper and a pencil, and proceeded to commence a letter to his mother.

I then moved that the court take possession of Ives' property and dispose of it, pay the board of the guard and the prisoner during the days of the trial, and remit whatever remained to Ives' mother, which motion was assailed by Mr. Ritchie in very denunciatory terms, he saying that it was an outrage to murder a man, and make him pay the board of those who had participated in it. This was met by some remarks from the individuals in the crowd, largely by way of interruption, and as the trial was over, I responded to Mr. Ritchie's

denunciation by saying that it was not unusual to tax the cost of a case to the defendant against whom judgment of death was entered, and that if a lawyer was not aware of the fact I thought he should go to law school instead of a law office. The motion was carried, but my remark had stirred to a profounder depth than I anticipated, the anger of lawyer Ritchie.

I had worn, during the trial, a heavy overcoat with deep side pockets, in each of which I had carried a new Colt's police pistol for a number of months. As the excitement culminated about the time the jury retired, at the closing of the arguments, it occurred to me that possibly they had been loaded so long that they might not readily respond if I wanted to use them, and I thought it best to ascertain their condition. I threw my coat aside and with my hand on my revolver, I pulled the trigger and it went off clear as a bell. The effect was exciting, for shooting scrapes were matters of momentary expectancy and a number of persons round me were startled; however, the ball, entering the ground, did no further damage than leaving a hole in the lining of my coat. Its effect upon me was a strengthening of confidence. The opposing counsel, during the trial, had, in instances, engaged in bluffs and rebuffs, and as the culmination drew near, in personal denunciation, and there were bad men on the confines of the crowd, capable of any crime which passion or recklessness could suggest. Every man participating in that prosecution took his life in his hand and those more prominently identified with it were the objects of much contumely and resentment from the friends of the highway robbers. Mr. Ritchie came to the side of the wagon and pulling my overcoat, with some profane expletives said that he wanted to see me, that we would settle this matter then and there. I alighted from the wagon and he passed between two houses toward the rear, I following him, with an affair on my hands not pleasant nor wholly unexpected, but before we reached the rear of the houses, we were both seized by the sheriffs, or their assistants, and

returned to the scene of the trial, where the excitement was unabated. \* \* \* Friends of Ives in considerable numbers were applying for permission to go inside the cordon of guards "to bid George Ives good-bye," and quite a number, some of them weeping bitterly, were granted the privilege.

Ives' effort to write a letter to his mother was interrupted by the excitement and he did not finish it. In perhaps a half dozen lines of the fragment, he had written that he was surrounded by a mob which was going to hang him, and that he was seizing the few moments which remained of his life to write to her. If this was not the entire substance of what he wrote, it was practically the whole of it.

The sheriffs, who had been gone for three-quarters of an hour, returned to report that they had been unable to find a convenient place to execute the orders of the miners' meeting, whereupon some one said almost any place would answer, and suggested that an unfinished log building adjoining the one in front of which the trial was held, would answer as well as any other place, and mounting to the top of the logs, which were not covered by any roof, he threw down one end of the top log and with assistance it was placed at an angle of about 45 degrees so that the upper end of it protruded into the street. A rope was procured from an adjacent store and tied around the end of the log; the sheriffs procured a dry goods box and Ives was placed upon it under the dangling rope.

It has been generally stated that Ives pulled off his boots, saying he had sworn that he would not die with his boots on. I do not remember this and only think it probable because it was told shortly thereafter, and I cannot say that I ever contradicted it, which I should think I would have done had it not been true. However, I have not written the details of this prosecution, nor have I attempted to speak of it in detail; now for the first time putting down with pen the events as I remember them, without consultation with any other authorities whatever. In fact the written authorities of Langford and Dimsdale are hearsay, neither

one of these gentlemen having been present, but their information was gathered from actors in this stirring tragedy, and I consider them reliable. At least, where they differ from my own recollections, I find nothing inducing me to believe that there was any wilful perversion of the facts.

As the *dénouement* drew near, the excitement increased and the anger of Ives' friends mounted higher and higher, manifesting itself in much profane denunciation of the proceedings. A guard of probably 100 men surrounded the box on which Ives stood, facing outward, and beyond them was a crowd of miners and citizens, undiminished in numbers. The sheriff placed the rope around Ives' neck, and he was asked by the judge if he wished to say anything. When this had been accomplished his friends apparently abandoned all hope of saving him and made a rush toward the warehouse in which John Frank and Hilberman were confined, swearing that Long John should be hung at the same time, but that prison was surrounded by a guard as resolute and grim as was Ives himself, and their effect ended in signal failure and profuse profanity. Ives spoke only a few words. I remember he said he was not guilty of *this* crime, and when he had apparently finished, the dry goods box was tumbled from under him, and his friends broke forth into vile execrations towards those responsible for his taking off. The guard brought their guns down to the level, and there was a falling back of the crowd, but no dispersion of it, as it stood there for at least half an hour. The deed was done. Before, there had been formal and perfunctory trials, amounting almost to challenges of the right of crime to rule in this region, but here there had been a strenuous controversy, a fair locking of horns between crime and order. It was yet to be determined, however, which should be master, for the disciples of disorder, discomfited, were by no means content to surrender to the reign of law. If not numerous, they were alert, active, defiant and resourceful, and they did not intend to surrender at their first defeat. Many of them, intoxicated,



breathed out threatenings of slaughter against the prominent actors in the tragedy just closed, and they excited a wide apprehension that personal harm would come to me, and a guard of probably 100 persons accompanied me to Virginia City, and in fact I was surrounded by a guard night and day for the week I remained in the gulch.

The result of the trial among the miners, merchants and other well disposed citizens, was a subject of the profoundest congratulation. That evening I was in the store of Mr. John A. Creighton, with a number of gentlemen, conversing on the conditions surrounding the community and listening to the turmoil of passion and hatred which seemed to have taken possession of the saloons, gambling houses and dance houses along the street. Harvey Meade, a reputed desperado, who had escaped from the public justice of the Federal government at San Francisco, came into Mr. Creighton's wearing two revolvers in sight and commenced an insolent conversation with me. It was said that he had been one of the conspirators to seize the revenue cutter Chapman in the interests of the Southern Confederacy, and to engage in piratical expeditions against Panama steamers and other commercial enterprises on the Pacific ocean, which had been frustrated. The conspirators had escaped and Meade turned up at Alder Gulch. I resented his insults, and for a moment there was evidence of dissent from his view. Dr. J. P. Maupin, who stood behind the counter, armed himself with a pick handle, but Mr. Creighton collared the braggadocio and led him to the door, with warnings definite enough to be comprehended, that he was expected to maintain peace.

I was the guest in Virginia City of Captain Nicholas Wall, who had erected a somewhat pretentious looking house at the rear of the store of John J. Roe & Co., which, with his nautical habit he had denominated "Texas" and which, for that time and place was an abode of no inconsiderable luxury. In the morning, upon awakening I found four gentlemen outside the house guarding it on my

account, of whom Mr. Michael Tovey and Conrad Weary were two, and guards remained with me and around my apartments until I left for Bannack.

At ten o'clock next morning the meeting assembled again at Nevada for the disposition of the cases against George Hillerman and John Frank, but the strenuous controversy was over; the main criminal had been disposed of. Hillerman was an old, weak, foolish man, doubtless without moral perception or cognizance of the crimes that were of daily occurrence and it was thought that, on the plane on which justice was administered at that time, it was not well to hang him, and after consultation with many of the leading citizens it was determined he should be banished and upon my motion, it was made the duty of any person finding him in the settlements after New Year's to shoot him on sight. The lawyers reappeared with their passions somewhat allayed and their strenuousness perceptibly weakened; Messrs. Smith and Davis assuming the role of leading counsel for Hillerman. Hillerman desired to make a statement and the privilege was granted him. He said nothing with reference to events in the country, but expressed a desire to be permitted to remain. He said he had no method of travel and did not know how to go or where to go, to which a profane wit responded by recommending to him a hot place beyond the confines of this world. The crowd, however, would not permit his presence, and he was ordered to go, with some arrangements made for his transportation, an opportunity of which he gladly availed himself, and his subsequent history is not known.

As to Long John, or John Frank, there was a universal belief that he had related truly such circumstances touching Tbolt's murder and other murders and robberies in the country with frankness and the animosity of the criminal classes towards him consequent thereto, strengthened the resolve to permit him to live and remain in the country till he should choose to depart and he was discharged on Forefathers' Day, 1863, and the miners dispersed to their claims, the merchants to their

stores and other citizens to their several places of business.

Four days had been expended by at least 1,500 men out of deference to the forms of American institutions and when the prosecutions were finished, and the community knew no more than it did when they were begun, a number of people began to inquire whether each tragedy required so much attention, and how much time would be left to pursue the ordinary vocations if this deference was to be continued, and speculations as to forming a vigilance com-

mittee grew in coherence and strength. We had our confidence strengthened by the splendid fidelity of the miners of Alder Gulch, and by their unshaken resolve that that which they achieved they would preserve, despite the robbers who had so long infested the country, and on the evening of the next day, I think it was, the nucleus of a vigilance committee was formed, thereafter to grow to large proportions and to determine that in the heady struggle between order and crime, order should win the final mastery.

But that is another story.

## CHAPTER XIII

### HENRY PLUMMER AND HIS BAND—ORGANIZATION OF THE VIGILANTES —THE FAMOUS THANKSGIVING DINNER—EXECUTION OF PLUMMER— CAPTURE OF DUTCH JOHN WAGNER—EXECUTION OF BILL HUNTER —HANGING OF SLADE—THE ESTABLISHMENT OF LAW AND ORDER.

The Road Agent Band that plunged Montana into a bloody reign of terror, was no haphazard gang of criminals. It was, on the contrary, a wonderful organization composed of about fifty men, led by Henry Plummer, the sheriff, whose official deputies were also his deputies in crime. Besides the active members of the band, it controlled and intimidated at least one hundred accomplices and allies. The Road Agents, so called because their depredations were committed on the road, trained deliberately for their nefarious work. At one of their rendezvous, a ranch occasionally used as a stopping place by be-lated wayfarers, a target was put up and George Ives and others strode rapidly past the mark, turned abruptly, wheeled about, then fired. Such expert marksmen had they become, that they seldom missed. Their methods on the road were the same; they passed the intended victim, faced about lighting-swift, covered him with a gun,—sometimes two,—and if he hesitated to comply with their demands he was shot dead in his tracks.

The Road Agents had their plans of operation well systematized. A constant correspondence was kept up between Bannack and Virginia City. Every trail was under their lynx-eyed surveillance. No miner ever made a rich strike but they knew of it; no quantity of gold dust ever left the territory but what they had the coach or wagon that carried it marked. Indeed, they possessed a code of secret signals remarkable and diversified. Horses, stage-coaches, wagons, even

men were thus branded with some cabalistic sign which proclaimed them subjects for plunder, to all of that murderous confederacy. The Road Agents, themselves, were known to each other by signals,—the peculiar knot in a tie indicated that the wearer was one of the Red band; the password was "Innocent" and death was the penalty dealt to a traitor or to any person who found out and revealed their conspiracies.

Their equipment was generally two revolvers and a double-barrel shot-gun of large bore with the barrels cut short. They also carried daggers. Disguised with blankets and masks, mounted on the fleetest horses of the land, they haunted the lonesome trails and concealed themselves in the thick forests and undergrowth. When the doomed coach or wagon approached, swift as the hurricane the masked horsemen were upon it with leveled guns and the stern stentorian command: "Halt! Throw up your hands!" supplemented by vile profanity. Hesitation was death, but men seldom hesitated. Terrified by the sudden attack they obeyed and one Road Agent searched the passengers while his accomplices covered them with a perfect arsenal of guns. In time the appetite for blood became monstrous and these hunters of human prey killed for the sheer lust of the thing.

The band originated in the Beaver Head Diggings on Grasshopper creek, near Beaver Head Rock, where the town of Bannack was afterwards built, but soon their field extended over the whole territory, even to the remote



and difficult passes of the Bitter Root mountains.

The Road Agents had several regular rendezvous,—chief among which was Rattlesnake ranch. Others were Dempsey's Cottonwood ranch, Daley's ranch at Ramshorn gulch and certain ranches on the Madison, the Jefferson, Wisconsin creek and Mill creek.

So matters stood when George Ives was hanged, the crisis which decided the future of the territory. However, at that time this drastic measure seemed but the first open challenge of law and order to red-handed anarchy. If it were not followed up quickly by a determined and systematic resistance to the outlaws they would again be in the ascendancy and no life or property would be safe.

At this juncture five men in Virginia City and four in Bannack organized the Vigilantes. It happened in this way. A few nights after the hanging of Ives these men met in the back room of a store kept by John Kinna and J. A. Nye. Paris S. Pfouts was chosen president, Wilbur F. Sanders, official prosecutor and Captain James Williams executive officer. When the formalities were over the lights were extinguished. In total darkness, standing in a circle with hands uplifted, Colonel Sanders administered this oath:

"We, the undersigned, uniting ourselves together for the laudable purpose of arresting thieves and murderers and recovering stolen property, do pledge ourselves on our sacred honor, each to all others, and solemnly swear that we will reveal no secrets, violate no laws of right, and never desert each other or our standard of justice, so help us God."

One of the by-laws of the Vigilantes was: "The only punishment that shall be inflicted by this Committee is death."<sup>1</sup>

These proceedings were carried on in profound secrecy, for had one whisper of the inception of such self-constituted tribunal

reached the desperadoes their vengeance would have cut down every person who dared to oppose them. Therefore, in the dim-lighted room, these men earnest of purpose, with grim determination written in every line of their faces, outlined the plan and formed the nucleus of one of the greatest self-created agencies of justice the United States has ever known, and when the oath that bound them was uttered in low and solemn tones the voice of justice had spoken for the first time in these lonely wilds.

Shortly after the organization of the Vigilantes public sentiment was aroused by a deed of blood as atrocious as it was cowardly. This time the victim was Lloyd Magruder, one of the most popular men of the territory and candidate for Congress.

In the summer of 1863 he brought a pack-train of merchandise to Virginia City and established a store. The sale of his stock of goods realized a profit of \$14,000 and he at once determined to return to Lewiston, via Elk City. C. Allen, Horace and Robert Chalmer and one Mr. Philips were to accompany him. The fact of Magruder's success and his contemplated journey with the proceeds to Lewiston was soon noised abroad, whereupon Plummer and his accomplices met in Alder Gulch and deliberately planned the robbery of the pack train and the murder of Magruder and his companions. It was arranged that Jem Romaine, "Doc" Howard, Billy Page and a person called either Bob or Bill Lowry should join the party and when the opportunity presented itself, murder the members,—five in all,—and then make away with the gold. Magruder was a particularly affable man and when the Road Agents signified their desire to accompany him, he offered them "free passage" and a mule apiece. All was well until they went into camp near the Bitter Root mountains beyond Clearwater river. The horses had been turned loose to graze and Magruder and Bill Lowry went out to watch them. A fire was built and as Magruder bent over it to light his pipe Lowry crushed his skull with an ax. The attack had

<sup>1</sup> Whatever the by-law may have originally been, it was modified in its execution for the Vigilantes banished a number of criminals whose guilt was established but whose crimes did not seem sufficient to warrant the death sentence.

been pre-arranged. In the main camp at ten o'clock precisely, the hour agreed upon by the assassins, the four victims of the plot were murdered in their sleep. So sudden was the onslaught that only one cried out. The gold dust was found and taken, the bodies rolled up in an old canvas and dumped over a precipice, the camp equipment burned and all but eight of the best horses were driven off in a cañon and shot. The assassins wore moccasins so if any one chanced upon the scene of the tragedy before snow flew, and discovered foul play, it would be attributed to Indians.

At Elk City Magruder's mule, saddle, leg-gins and other belongings were recognized in the possession of the murderers and the dark suspicion grew that there had been another tragedy in the mountains. At Lewiston, Hill Beechy, the deputy marshal and owner of the Luna House, saw the cantinos overflowing with gold and he, too, mistrusted that something was wrong, just as the perpetrators of the crime started by coach for San Francisco. A certain man named Goodrich recognized Page. With this evidence Beechy followed them to California where he arrested them for the murder and robbery of Magruder and his party. Page turned state's evidence, telling the details of this horrible crime, and after a fair and impartial trial all the guilty ones except Page were hanged.

This outrageous murder inflamed the slumbering indignation of the miners. Those who had been lukewarm and wavering in their opposition to Plummer, now took a determined stand. The organization of the Vigilantes had occurred at an opportune time and they had the support of every decent, law-abiding citizen of the community.

The real character of Henry Plummer, who had led a life of crime in California, had been long suspected by a few, but the first proof of his complicity with the Road Agents was the story told by Henry Tilden, the lad who crossed the plains with Governor Edgerton. Plummer was a man of engaging manners and prepossessing appearance, the next door neighbor of Wilbur F. Sanders, where he lived with

his sister, a lady who enjoyed the friendship and confidence of the few good women of the sparsely settled land. Shortly after the adventure of Colonel Sanders at Rattlesnake ranch, Henry Plummer invited him and his wife, Governor and Mrs. Edgerton and an assembly of the most prominent citizens to Thanksgiving dinner. He sent to Salt Lake City for a turkey,—the first of record in the territory,—for which he paid forty dollars in gold. In addition he had other delicacies that had never before graced festal board in Ban-rack. Plummer was the soul of hospitality upon that occasion. His easy flow of conversation, his elegant manners, his gracious attention to his guests made him an ideal host. No person seated there could realize fully that this smiling gentleman was the arch-demon of the trails, that the well modulated voice which entertained with compliment and jest could thunder out the vilest blasphemy and that the hands which served them had put to death countless victims.

None could fully realize all this, yet every man present knew that Plummer was doomed. It was in a sense a feast of Belshazzar; but although the handwriting of fate was written as plainly upon the walls of the cabin as it had been upon those of the Babylonian palace, Plummer did not see it, nor know that his kingdom of crime was at an end.

On the 23rd of December, 1863, twenty-four determined men were mustered. They were armed, carried rations, blankets and rope. They assembled in greatest secrecy. The few who had wives breathed no word to them of the desperate mission on which they were bent. The weather was bitterly cold and there was a deep fall of snow. No fires could be kindled by night to mitigate the icy blast for fear it would attract the attention of the Road Agents or their allies. On Dear Lodge creek they met "Red" (Erastus) Yeager. He was at that time messenger or letter carrier for the band. He told them Alex Carter, an accomplice of Ives in the killing of Tbolt, "Whiskey Bill" and others were drunk at Cottonwood Ranch, otherwise known as Dempsey's. This ruse had

the desired effect. The Vigilantes pressed on towards Cottonwood while the Road Agents crossed the Divide and camped seventeen miles away. When the pursuers descended upon Cottonwood it was to find that the criminals had fled and through the darkness a camp fire flaunted their triumphant escape.

The robbers had been warned to "get up and dust and look out for black ducks," which they did with great alacrity.

The Vigilantes were disheartened and started to return by way of Beaver Head Rock. The cold became more intense, their stock stampeded and their rations ran short, a combination that tested their nerve to the utmost. Near this place they met J. X. Beidler and Andy Lewis. X informed them that Buck Stinson was then at Rattlesnake ranch. Beidler's story of this exciting chase and capture is full of interest. It will be seen from his narrative that he had started out to relieve the Kiskadden train just one day before the Vigilantes departed on their desperate hunt for Carter, Yeager, Stinson, Ray and any others of the band whom they might find. Beidler's Journal reads:

"After the hanging of Ives, I was employed by Kiskadden, December 22nd, '63, to find their train which had been in distress. I started and went to Daly's for dinner (where we got our daily bread) and camped with Mr. George Breckenridge that night. Next night camped out on White Tail—cold night—single blanket. Next day made Sage Creek—no house—Christmas Eve. As cold a night as I ever camped out in my life—danced around a green willow fire all night to the music of the coyotes and often thought during the night of hundreds of happy couples who were then dancing to other kinds of music. Next morning early, without eating I started out to find Junction Ranch—found it at 11 A. M.

"Next morning I went to the Hole in the Rock and met the train—train very poor and dying—had to have fresh cattle, stayed over night and started back next day. Camped in Quaking Asp near Toll gate and got bottle of

gin, then arrived at Toll gate and towards evening saw a white man coming towards camp, which turned out to be Dutch John (Wagner) and an Indian.

"When I was at Beaver Head I heard that Forbes' train had been attacked by two robbers and that they were repulsed. One shot in the shoulder and one in the back. I was given the description of the men. I was looking for them. One was described as having a fine beaded pair of leggings which I said if I found would be mine. Dutch John's both hands were badly frozen and I asked: 'How is it that a big husky like you gets froze and this Injun is O. K.? Why didn't you flop your wings and keep warm?' I got a gold pan and filled it with spring water and made him hold his hands in it but the pain was too severe. He drank up my bottle of gin. While I was taking the frost out of his fingers and he was drinking my gin, he asked me where I was from and how times were in Salt Lake. He said he was going to Ricker's Ferry. I told him I had not been to Salt Lake, but was from Virginia City, and when he heard I was from there, he got frightened and acted very uneasy and wanted to know if George Ives was hung yet. I told him I helped hang him and he got very reticent. I told him of Forbes' train having been robbed. He asked me if they got the robbers. I told him, no, not yet, and I understood one of the men had a fine pair of leggings on, and when I found them, I was going to appropriate them. 'Why,' he said, 'would you have taken them?' I said, 'Yes, if I found the man dead.' He took another smile out of the gin bottle and looked at me wilder than a wolf. During all this time I had almost got the frost out of his hands and him pretty well braced up. We retired for the night on the floor and in the morning his hands were all blistered and I got some balsam and fixed them up the best I could. I then started alone to Virginia and they started for Ricker's Ferry on Snake River. When I got to top of Pleasant Valley Divide, I saw a party of ten or fifteen horsemen and packs on their way to Salt Lake with 200 pounds of



gold dust as freight. Being acquainted with them, they asked me if I had seen Dutch John. Told them I had just left him, and had tied up his frozen hands. They asked me to go back and capture him and take him to Bannack, as he was wanted for holding up Forbes' train and was one of the wounded robbers. I told them I had no time and had to attend to the business of the distressed train first. I camped that night at the junction on my way home.

"From Junction I went to Horse Prairie and on the way I met George Hilderman, who was banished when Ives was hung. He knew me and I warned him to turn out of the trail. He wanted to know if it was safe for him to keep going. I assured him it was, and to keep a-going. Next day I went into Bannack and at night I went down town and at Durant's saloon played a game of billiards and old man Gilman came in and asked where I stopped. He told me to go right off and stay there. I wanted to know why and he told me that Buck Stinson and the gang were in town and had it in for me and would kill me. I hesitated, but finally went. Told proprietor of hotel what was up but on my way there I met Buck Stinson and Ned Ray and they asked where I was going. I told them. I stayed in the hotel all night. In the morning I had early breakfast and started in a bad snow storm towards Rattlesnake Creek and when I got there, who should I meet but Buck Stinson and the gang. I was cold and stiff and had a bottle of brandy in my pocket. Went to the room and got warmed up and saw Andy Lewis, a friend of mine, the only man I could count on as a friend. The gang asked me up to the bar and I said: 'Gentlemen, I have a bottle of brandy of my own and I prefer drinking that.'

"After supper we got to talking about Vigilantes and they wanted to know how many of them there were. I said not less than a thousand if there were any and they wanted to know what they wanted so many for. I told him, 'it would take a thousand to let decent people live here.' That night Andy and I

made our bed down together. Buck and his party barricaded the door with the table. I asked them what that was for and they said 'we expect the Vigilantes tonight, and we will hold you for hostage.' Buck got up several times in the night and I followed suit every time. In the morning Buck asked me when I was going. Told him I thought I would stay over a day. They saddled up and lit out down Rattlesnake Creek, and as soon as they were out of sight, we saddled up and lit out for Virginia. When out about ten miles we met a party of eight men coming towards us. They hallooed for us to throw up our hands which we didn't do as we recognized our friend, Tom Baum's voice, and told him he might as well kill a man as scare him to death. That night we camped at Dempsey's Ranch. I gave them the information about Buck Stinson being at Rattlesnake where the eight men went right away and at Dave Pickett Lodge they got Erastus Yeager, known as 'Red' bringing him back to Dempsey's. At Dempsey's we picked up George Brown, secretary to the Road Agents. We hung both of these men at Lorraine's the next night on a cottonwood tree."

A solemn council was held by the Vigilantes before the grim event referred to by X. Beidler was put into effect. The leader of the little band, addressing his followers, said:

"All those in favor of hanging those two men step to the right side of the road, and those who are in favor of letting them go, stand on the left."

He further admonished them:

"Now boys, you have heard all about this matter, and I want you to vote according to your conscience. If you think they ought to go free vote for it."

Every man present unhesitatingly stepped to the right side of the road. At 10 P. M. "Red" Yeager and Brown, who had gone to sleep in the bar room, were awakened by the captain. "Red," so called from his red hair and whiskers, arose at once. He was always perfectly cool and collected and up to this moment had lied stoically as to his absolute

innocence. Upon being thus abruptly aroused from slumber he said:

"You have treated me like a gentleman, and I know I am going to die—I am going to be hanged."

His utter fearlessness elicited the exclamation:

"That's pretty tough," from his captor.

Yeager echoed his words:

"It's pretty tough but I merited this years ago. What I want to say is, that I know all about the gang and there are men in it that deserve this more than I do, but I should die happy if I could see them hanged or know that it would be done. I don't say this to get off. I don't want to get off."

"Red" made a full confession. He stated first, that Henry Plummer was chief, and Bill Bunton next in command. The personnel of the remainder of the band was as follows:

Sam Bunton, roadster (sent away for being a drunkard); Cyrus Skinner, roadster, fence and spy; at Virginia City, George Ives, Stephen Marsland, Dutch John (Wagner), Aleck Carter, Whiskey Bill (Graves), were roadsters; George Shears was a roadster and horse-thief; Johnny Cooper and Buck Stinson were also roadsters; Ned Ray was council-room keeper at Bannack City; Mexican Frank and Bob Zachary were also roadsters; Frank Parish was roadster and horse-thief; Boone Helm and Club-Foot George were roadsters; Haze Lyons and Bill Hunter were roadsters and telegraph men; George Lowry, Billy Page, Doc Howard, Jem Romaine, Billy Terwilliger and Gad Moore were roadsters.

Brown died begging for mercy and praying.

Yeager never flinched. He shook hands with his executioners and his last words were: "Good-bye; God bless you. You are on a good undertaking."

On the back of his coat was fastened a sign bearing the words:

"Red! Road Agent and Messenger."

To Brown's corpse was affixed:

"Brown! Corresponding Secretary!"

The information obtained from Red Yeager was of the greatest value. The Vigilantes

having performed their terrible duty hastened to Bannack City. Plummer, Stinson and Ray suspected that the crisis was come and as dusk was falling the best horse of each was brought in,—apparently they were ready to fly. No time was to be lost. A place was chosen for the execution. A rope was obtained from the house of Governor Sidney Edgerton. Three separate commands organized quietly. To each was assigned the task of capturing one of the criminals.

The night was very cold and the hard-packed snow rang vibrantly with the slightest footfall. The cabin of W. F. Sanders was next to that of Plummer. Between the two was a small space which was now black with shadow. Mrs. Sanders was alone with a maid and two young children. Her husband had been gone on a mysterious trip, the dark portent of which she did not know. He had returned for but a moment, that night, then hurried off, without answering her anxious inquiries. She knew that some hazardous movement was on foot, but what could the nature of it be? The night wore on and time passed. She heard low voices in the dark space between her home and that of Henry Plummer. A moonbeam glinted on the muzzle of a gun. One thought obsessed her. These men were lying in wait to murder her husband as he came home. Many such deeds of blood had been done of late and he had been often threatened. She blew out the candles and waited through moments that seemed eternal. Presently there was the measured tramp of marching men, dark figures loomed into sight as she watched through the window. The suspense was terrible. A moment more and she saw that they were surrounding Henry Plummer's cabin.

Meantime, Plummer had come in early. He was fatigued. He loosened his necktie, unbuckled his belt that held his revolvers and, smiling, handed it to his sister, saying:

"I don't guess I'll have any use for that tonight."

It was the first time in his career in the

territory that Plummer had been known to be unarmed sleeping or waking.

So he lay when the door burst open, the room was filled with armed men, Plummer was seized by both arms and marched away. It was all over in a moment. The most desperate of the Road Agents, noted for his agility, his panther-like quickness, his unfailing vigilance and deadly aim, had been caught literally napping, without a struggle.

Buck Stinson was captured with as deadly swiftness and Ned Ray was likewise seized.

Then the three commands marched to a certain place on the way to that ghastly rendezvous,—the gallows.

It seems a curious anomaly that the Road Agent chief, the leader who planned the atrocities that terrorized the entire Northwest, in whose master-grip his confederates were the merest tools, should have proved the most arrant coward of them all. He who had despatched so many victims with his own hand and who had been responsible for the murder of scores of others, did not know how to die. Possibly the bloody visages of those victims haunted him then, and like Macbeth he was menaced by their accusing presences. He had recognized the voice of the leader of the Vigilantes as that of his neighbor. Plummer approached him and begged piteously for his life.

"It is useless," that functionary answered him. "You are to be hanged. You cannot feel harder about it than I do; but I cannot help it if I would."

Plummer became servile, cajoling, loathsome in his abject and abandoned cowardice. He grovelled. He begged. He asked to be chained down to the most miserable cabin. He offered to leave the land forever, and exhausted every loophole of escape. Finding that his captors were stoical he fell on his knees, wept and declared to his Maker that he was "too wicked to die." Possibly some long-forgotten echo out of the past, some teaching of his mother in his childhood, awoke at that awful moment of reckoning.

The first of the three to hang was Ned Ray. He went to his doom with curses.

Buck Stinson was despatched next, and finally sounded the command:

"Bring up Plummer!"

Seeing that all efforts were fruitless, he asked for a "good drop" and died almost without a struggle.

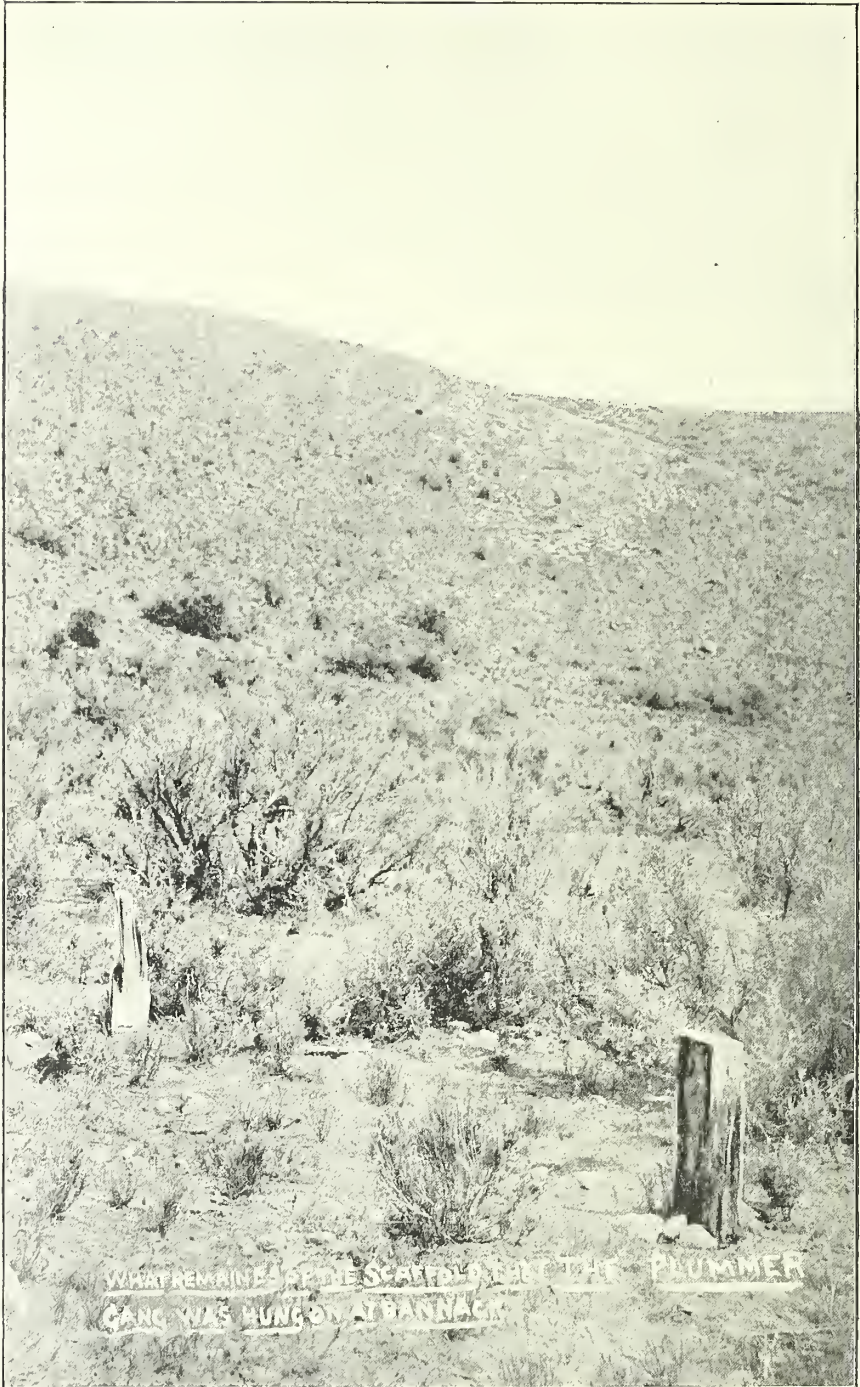
So ended the memorable Sabbath of January 10, 1864.

While the Vigilantes were pursuing Stinson, Ray and the rest, Dutch John Wagner whose frost-bitten hands had been relieved by X. Beidler, was seeking refuge. He had been slightly wounded by a shot from Forbes, the fresh scar of which he bore. After meeting with X. he conferred with Plummer, who advised him to fly immediately. Dutch John had no horse, so, carrying his saddle on his back, he proceeded afoot to Barret and Shineberger's ranch, where he knew there was the finest and fleetest horse in that part of the country. A friend of that "outfit" seeing Dutch John headed towards the ranch, carrying his saddle, suspected the character of his errand and his plan of escape and sent word at once to the owners to watch the coveted mount. One of them espied the thief hidden in the underbrush. He was surrounded and captured, but dealt with leniently. He was searched and his saddle and pistol confiscated but he was given an old mule and a blanket and advised to "hit the trail."

This occurred at Horse Prairie and Dutch John at once took the Salt Lake Road. He was still followed by the Bannack Indian. These two traveling companions first encountered a pack train in charge of one Ben Peabody going to Salt Lake. Dutch John was recognized but he was permitted to pass unchallenged. Peabody had gone about two miles when he met Neil Howie, who was just returning from Salt Lake City with three wagons of merchandise. Peabody and Howie held a consultation and pledged themselves to assist in the capture of the notorious criminal.

However, when Dutch John and the Indian rode up, those who a moment before thirsted





for his blood were willing he should escape, except in the single instance of Neil Howie. Dutch John asked for tobacco and was coolly referred to Vivion's big train below. During the brief conversation, Wagner was ill at ease. He and the Indian rode off and Neil Howie followed them. Howie soon overtook them and it was evident that they regarded him with suspicion. He explained to Wagner that he was on his way to the big outfit to borrow a shoeing-hammer with which to get his horses ready for crossing the divide. Dutch John became suddenly friendly, but Howie pressed on ahead. It took the finest courage to ride just in front of that murderer and highwayman, who was even then flying for his life and who held a rifle in his hands, but Howie, betraying no suspicion nor uneasiness, galloped on, never hesitating until he came to the big pack train. He found no one there willing to help capture Dutch John. The man was too terrible a character and, besides, the vengeance of his confederates was feared. Not one among them would raise a hand. Again Wagner rode up and asked for tobacco and again his swarthy face was dark with suspicion when he saw Howie conversing with the owner of the train. Having obtained the desired weed through Howie's generosity the German and his Indian rode on. Howie made a last vain appeal to the pack train men, then resolved to undertake the desperate task of capturing him alone. It was either that or let him escape. He started forthwith and as he approached Dutch John, called:

"Hold on a minute!"

At the salutation, Wagner halted and wheeled his mule half around. Howie was afoot and he carried no weapon in his hand. Never taking his eyes from those of the Dutchman, he advanced. Wagner sat motionless holding his loaded rifle. "At twenty yards their eyes met, and the gleam of anger, hate, and desperation that shot from those of Dutch John" was awful. He fingered his gun as though making ready to shoot. As he did so Howie's hand moved towards his belt where his revolver hung. Howie was one of the

crack shots of the territory. No word was spoken during this grim pantomime nor did Howie pause in his resistless march until he was within five paces of Wagner. Then, brought to bay, and recovering suddenly from the hypnotic fascination of Howie's unflinching eyes, Dutch John started to shoot. It was too late. Howie slipped past the muzzle of the gun, ordered his prisoner to dismount, and he did as he was bidden.

Howie took him back to the big pack train, where he was searched for a wound on the shoulder which the robber of Forbes' train was known to have. It was there. Dutch John was branded.

The situation was a desperate one for Howie, for even after the desperado was a prisoner and disarmed, no one cared to act as guard and help take him to Bannack. Howie was a small man, wiry of build and strong, but physically he was no match for Dutch John, who is described thus:

"Let it not be imagined that this man was any ordinary felon, or one easy to capture. He stood upward of six feet high; was well and most powerfully built, being immensely strong, active, and both coolly and ferociously brave. His swarthy visage, determined looking jaw and high cheekbones were topped off with a pair of dark eyes, whose deadly glare few could face without shrinking. Added to this, he knew his fate if he were caught. He traveled with a rifle in his hand, a heart of stone, a will of iron, and the frame of a Hercules."

Obtaining no aid Howie started off alone with his prisoner and took him as far as Dry Creek, where there were some fifty-odd men. At first no one there would consent to accompany Howie but finally a friend came up and told him one John Featherston who was camped with a train near by was just the kind of a man he sought. Featherston was ready and willing and he proved himself to be as courageous as Howie. This was the beginning of a life-long friendship between the two men.

Dutch John used every wile to win the con-



fidence of his captors. It was now a match of criminal cunning and long practice on his part, and cool-headed sagacity on that of his guards. Twice he nearly made good his escape. The first time the little party had stopped on account of the bitter cold and Howie was building a fire. Featherston had put the guns down about ten paces away, then returned to the growing blaze. Quick as a thought Dutch John rushed headlong for the weapons. Howie and Featherston intercepted him just in time to save their own lives and prevent his escape. The second occasion was at night. Wagner knew they were nearing Bannack and he must strike for freedom or die. His guards were worn out and fell asleep. He arose stealthily, but Howie awoke and commanded him to lie down. A second time he essayed to run away during the night, but Howie, always alert, told him if he were caught in the act again it would mean instant death.

A desperate attempt was made to rescue the prisoner after they reached Bannack by Stinson, Ray and the rest of the band who had not yet met their impending fate.

There were no regularly organized Vigilantes in Bannack at that time though there were brave citizens ready to muster when the occasion demanded their services.

The night that Wagner was brought in, four horsemen arrived in hot haste from the Vigilantes of Virginia bearing a communication ordering the execution of Plummer, Stinson and Ray.

Next day the organization of Vigilantes proceeded.

Before his death Dutch John made a confession which corroborated that of Red Yeager.

At the appointed hour he was marched to the unfinished building where the corpses of

Plummer and Stinson lay stark and cold,—one on the floor and the other on a carpenter's work-bench. His captains in crime had been hanged just twenty-four hours before.

The doomed man prayed and seeing that his fate was inevitable met the end with calmness.

Bill Hunter, the last of the Road Agents, was captured near the mouth of the Gallatin river. He, like the rest, was a man of many crimes. Conscious that he was pursued, left in utter loneliness by the death of his companions, an outcast shunned as Cain, he skulked about like a hunted beast and hid. At last driven by a terrible snow storm to seek shelter in a cabin, he was caught there by a party of Vigilantes who had come from Virginia City for the purpose. He was hanged from a tree on February 3, 1864.

Less than two months had elapsed since the execution of George Ives. During that short time the Vigilantes had scoured the land and dealt out swift and merciless death, until now the frozen body of the last of Henry Plummer's band told mutely of the overthrow of anarchy in Montana.<sup>2</sup>

After this the citizens established a People's Court composed of judge and jury, which in the absence of "regular civil authority" should try all offenders. It will be seen at once that upon the maintenance of the dignity and authority of this tribunal depended the permanence of all that the Vigilantes had accomplished.

So matters stood when the open defiance of that court caused the most deplorable act which the citizens of Montana were called upon to perform. This was the hanging of Slade.

J. A. Slade, known generally as "Captain" Slade was a curious personality. When sober he was a kind-hearted, genial gentleman; when drunk he was a demon. He came to Mon-

<sup>2</sup> Thomas J. Dimsdale in his *Vigilantes of Montana* gives the names, place and date of execution of the principal desperadoes of the Road Agent Band: "George Ives, Nevada City, December 21, 1863; Erastus Yager (Red) and G. W. Brown, Stinking-water Valley, January 4, 1864; Henry Plummer, Ned Ray and Buck Stinson, Bannack City, January 10, 1864; George Lane (Club-foot George), Frank Parish, Haze Lyons, Jack Gallagher and Boone Helm, Virginia City, January 14, 1864; Stephen Marsland,

Big Hole Ranch, January 16, 1864; William Bunton, Deer Lodge Valley, January 19, 1864; Cyrus Skinner, Alexander Carter and John Cooper, Hell Gate, January 25, 1864; George Shears, Frenchtown, January 24, 1864; Robert Zachary, Hell Gate, January 25, 1864; William Graves, alias Whiskey Bill, Fort Owens, January 26, 1864; William Hunter, Gallatin Valley, February 3, 1864; John Wagner (Dutch John) and Joe Pizanthia, Bannack City, January 11, 1864."



tana in the spring of 1863, and it is stated. was a member of the Vigilantes, doing his utmost to stamp out the Road Agent gang. However, on his frequent sprees he was a terror to Nevada and Virginia cities. Upon such occasions storekeepers frequently suspended business, shut up shop and put out lights, for Slade had been known to ride into their establishments horseback, throw out the scales, smash glass and commit all kinds of outrages, for which he atoned as best he could when sober. He had also threatened persons, though he never killed anyone within the territory. It was said on good authority that while drunk and in the heat of passion he had committed murder elsewhere. After the People's Court was established he had acknowledged its authority upon various occasions by paying fines which its judge imposed upon him.

Slade was warned repeatedly that he must mend his ways but once under the influence of liquor he forgot all else but the indulgence of his frenzy. Upon the occasion which ended fatally for him, he had been drinking heavily and in the language of a contemporary chronicler had "made the town a perfect hell." The sheriff, J. M. Fox, arrested him, took him into court and began to read the warrant for his arrest. Bursting into a wild, drunken passion, he snatched the offensive document, tore it into bits, and stamped it beneath his feet. Still utterly mad with fury he sought out the judge of the court, Alexander Davis, pointed a revolver at his head and informed him that he "should hold him as a hostage for his own safety." It is also said that he slapped that dignitary and spat in his face. Montana's first court was openly insulted and defied.

A messenger took the news to Nevada and two hundred miners "armed to the teeth" marched in a body to Virginia. The leader rode on ahead to inform the citizens but he received little active co-operation from them.

J. X. Beidler describes the hanging of Slade as follows:

"Before Slade was hung at Virginia City I had met him at different times and places and we were friends. I met him at his ranch on

the Madison river when he lived in a tent and his wife cooked a 'good dinner for us. We communed on many occasions as friends. Slade was an honest man and did not like a thief, but was a very dangerous man when drinking. The day before he was hung Kiscadden and I walked across to the Washington Billiard Hall (drinks and billiards 50 cents and everybody busy). Kiscadden was a friend of Slade's and they got into a conversation and not being interested I got up to go out when Slade shouted out, 'G—— d—— you, where are you going—are you afraid?' I told him that I was not interested in the conversation and that I had the privilege to go when I wanted to and that I did not have to go. When the people in the saloon heard Slade and me having these words everybody rushed out of the saloon thinking our guns would go off and someone get hurt sure and were afraid of any stray balls catching them. Slade saw the consternation of the people in the saloon but did not see me move and he said: 'X, come back,' which I did and he then asked me to take a drink. I said I would sooner do that than fight. We went to the bar. Johnny Tomlinson was bartender and we all took whisky straight, Kiscadden, Slade and myself. After we got our glasses filled and were going to drink, Slade, still mad, said: 'You do not have to drink unless you want to,' meaning that I could fight instead. I said: 'Mr. Slade, that is another privilege and I will not drink.' By this time the people who had stampeded out at our first quarrel were getting in again when they saw us going to drink, but when they again heard our talk they again rushed out like a flock of sheep in a great hurry, with a band of wolves behind them. During this stampede Slade had insulted the bartender, Tomlinson, and he raised a big Cobbs navy revolver in front of Slade and declared himself ready to take a hand in the fight. Slade then weakened and said, 'Let us quit.' I told him I was glad, knowing well that right behind me stood at least six of Slade's pals and fighters and anyone that hurt Slade was going to be killed instantly. When Slade had quit and left I

turned to Kiscadden and asked him if he had brought me into the saloon to get in a fuss with Slade. He denied having done so, which I believed, and we left. I went and told my friends and the Slade men that we had a fuss and that if it occurred again I should certainly take care of myself and that I was going to the theater where Kate Harpe was acting that evening (\$2½ per ticket). The theater was crowded with men with their wives and daughters who had come to see the acting. In the play Kate Harpe came out on the stage dressed as a ballet girl to give a dance and as she commenced Slade ordered her in a loud and vulgar voice to take off the balance of her dress, which disgusted the audience and they commenced leaving. Men with their wives and daughters could not stay. The show ended right there and I avoided Slade that evening as well as I could and I did not see him after the theater. Next morning he was still running wild and ran a milk wagon off grade and spilled all the milk and then went and whipped Dan Harding and Charley Edwards, his own men, then he came up town and ran it for all it was worth. Merchants closed their stores to avoid trouble and Slade held the fort. I went to Jerry Sullivan, who is now in Butler, and asked him if he couldn't get Slade to go home. Jerry Sullivan said he couldn't touch him. I went to Kiscadden and asked him if he could get Slade home. Just at this time Slade came into the store and Slade said: 'X, I guess the Vigilance committee is played out.' I said: 'It looks so but you will change your mind in three hours.' He looked at me very sneeringly with those eyes of his and asked how I knew. I told him he would see and I again asked Kiscadden to try and coax him to go and Slade said he would if Kiscadden would give him his Derringer, which he did, and I then told Slade to get on his favorite horse, Old Copperbottom, and cross the hill, which he did. He rode a short distance and got off Copperbottom at Pfouts' store and insulted him in a very disgusting manner and while he was hard at work doing this dirty work, over two hun-

dred honest, determined miners, headed by Captain Williams, were just turning the corner. and getting in sight and came up to Pfouts' store and Captain Williams stepped up and arrested Slade while he was holding up Pfouts, Fox and Davis with a Derringer in each hand. Captain Williams was backed by two hundred miners, each one of which could have shaken two or three dollars of pay dust out of the rims of their hats and who had rifles and revolvers in abundance. Slade looked around and said: 'My God!' He was informed he had one hour to live and if he had any business to attend to, he had better do it. I was well aware of the approach of the committee and was informed long before that the boys' rifles and revolvers were being cleaned and loaded fresh, which meant business, and I had begged Slade to go home but I knew when he got off his horse, and I made the remark to Kiscadden, that it was his last ride. If Slade had gone off when he was told the committee would not have hung him at that time. Slade was taken into the back room of the store to settle up his business and begged all the time most piteously for his life. A party was sent to arrange a place for the execution. They went down the gulch and found an empty beef scaffold, made the noose and fixed everything for the hanging, and when the hour had expired that was given by the committee to Slade, he expired with it. The town was very excited, people running to and fro and not knowing the result of the committee business;—if Slade was king or if the Vigilantes had won, but very little talk was going on; each man of the committee kept his place with determination and his mouth shut, but the determination on their lips soon let the people know that he was hung. While Slade was standing on the boxes, under the scaffold, with the rope around his neck, he asked for Col. W. F. Sanders and the boys around were afraid to do much shouting and I said: 'Boys, pass the word along for Sanders,' which was done, but he could not be found and Slade then asked for Alex Davis, who came up and talked with the doomed man. Slade asked Davis to

plead to the crowd for his life and Davis said, 'Mr. Slade, I can only repeat your words, I have no influence but would gladly do so if I had.' The two hundred miners were getting impatient and shouted, 'Time's up!'

"These men were running mines on their own account and wanted to get back and clean up and attend to their business, as they did not come on any child's play. A noble German by the name of Brigham adjusted the rope around Slade's neck and afterwards left the territory, being afraid of the Slade men. Dutch Charley selected the place for execution. Captain Williams, when he heard how impatient the miners were getting, said: 'Men, do your duty,' and Slade died.

"During the hanging of Slade I was stationed up on the bench and was looking down the gulch and a man whose initials were N. P. pulled his rifle and said he would kill any man who helped hang Slade. I told him that the smoke would not get away from him before he was riddled by twenty bullets and as I spoke I saw him covered with rifles of members of the committee in a second. He didn't shoot, fortunately for him.

"Mrs. Slade had been sent for and was expected every minute. She was known to be a very desperate woman and the committee had wisely ordered some parties to intercept her if she came before the hanging. Jim Kiscadden came to me and said: 'X, can't I get men enough to cut Slade down before

Mrs. Slade gets here?' I got some friends of mine and I cut him down and we packed him to the Virginia City Hotel and took the ropes off his legs, arms and feet. Just as I was through some one said 'Mrs. Slade is coming!' I threw a blanket over the things to hide them from her and she rushed into the room and threw herself on the body of her dead husband. I went down stairs. The miners returned to their work and the town quieted down and peace reigned. Slade was neatly dressed and prepared for burial, and taken across the hill and buried and was afterwards taken to Salt Lake. Mr. Kiscadden afterwards married Mrs. Slade. The Slade men dispersed, as their leader was gone and they had seen a lesson."

Mrs. Slade's ride for the life of her husband is one of the most thrilling incidents in this dramatic period of Montana's history. The horse she rode was the celebrated "Billy Bay," long the pride of the Piegan Indians. A band of that tribe had captured the animal, which was a Kentucky thoroughbred, on a raid in the neighborhood of the Great Salt lake. Large sums of money, pelts and other valuables were staked on the "Billy Bay" in the inter-tribal races. Slade purchased the horse from Maj. Malcolm E. Clarke.

With the hanging of Slade the last menace to the administration of justice was removed. Order prevailed, unchallenged, supreme.

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## CHAPTER XIV

### THE STRUGGLE BETWEEN INDIAN AND WHITE—CONFLICT FOR DOMINION

The route of Lewis and Clark lay through Indian territory and it is a noteworthy fact that the explorers found the tribes invariably friendly. In most instances, the natives treated them as welcome guests. As soon as commercial relations were established between the white trader and the Indian, conditions altered and from time to time there was conflict and bloodshed. There were a number of reasons for this change. First of all in importance was the whiskey traffic, and, secondly, the British traders, anxious to foil the attempts of Americans, probably incited the northern tribes to violence. It is fair to say that in many cases the Americans who braved the dangers of the Upper Missouri and the Yellowstone were, unfortunately, as black as they had been painted, or to speak more justly, the phase of their character shown to the Indians fulfilled the British prophecy. A word must be said in explanation of the term "American" used here; at that time it applied to anyone acting for an American fur company rather than the nativity of the individual. Indeed, it was a curious polyglot that wended its devious and difficult way up the Missouri in those early days;—there were Spaniards, French-Canadians, Scotchmen, and, in short, representatives of almost every nationality. And the trade in which they engaged was an unfair, cut-throat business from beginning to end. The pollution and debauchery of the Indians was countenanced as legitimate and there was something of terrible retribution in the fact that often those who introduced the "fire-water" paid the penalty with their lives. Almost invariably the Indians were friendly towards the earliest white settlers or traders

with whom they came in contact and that friendliness was changed to enmity only through injustice and wrong. The white man was almost always the original transgressor.

The voyageurs came among the tribes inspired with no feeling of brotherly love. If they made presents and expressed kindly sentiments it was in order to be enabled to pass safely through the land or to secure from them for a few worthless trinkets, or venomous alcohol, a fortune in furs. Hypocrisy and deceit were the precedent and dishonesty the common practice. In those relations one could scarcely expect the savage to rise above the example of civilization.

Practically the whole country within the boundaries of that which is now Montana, except the lofty and inaccessible altitudes of the highest ranges, was occupied by native tribes when the white men first penetrated the wilderness. Each nation camped over a roughly defined and recognized territory, fighting from time to time with other nations for possession of favorable hunting grounds. With the settlement of the land by white persons, it became necessary to enter into formal negotiation with the Indians and prescribe certain arbitrary limits for their occupancy. The first treaty with the tribes of Montana was that of Fort Laramie, which was never proclaimed.

"This treaty was negotiated by D. D. Mitchell and Thomas Fitzpatrick September 17, 1851, and defined the following described territories as the reservations of the several tribes: The territory of the Sioux or Dacotahs extended from the mouth of the White Earth river to the forks of the Platte, up the North Fork to the Red Butte; thence via the Black

Hills to the head of the Heart river; thence to the mouth of the Heart, and down the Missouri to the White Earth river. The territory of the Gros Ventres, Mandans and Arickarees commenced at the mouth of the White Earth river; thence up the Missouri to the Yellowstone; thence up the Yellowstone to the Powder; thence along the Black Hills to the head of Heart river, and down that river to the place of beginning. The Assiniboines were given the country from the mouth of the Yellowstone, up the Missouri to the Musselshell; thence to the headwaters of Big Dry creek; down that creek to the Yellowstone, and thence down the Yellowstone to its mouth.

Big Dry creek, and thence to its mouth. In addition to those tribal districts the Cheyennes and Arapaho were granted a large territory extending from the north fork of the Platte down to the crossing of the Arkansas river by the Santa Fé trail.

"The superintendents of Indian affairs for Montana from 1864 to 1873, when the office was abolished, were Sidney Edgerton, 1864-5; Thomas Francis Meagher, 1865-6; Green Clay Smith, 1866-8; James Tufts, 1869, as successor to Governor Smith in the executive office; Alfred Sully, brigadier-general, United States army, 1869; Jasper A. Viall, 1870-2, and James Wright, December 19, 1872, to June 30, 1873."



"SKY SCRAPERS" OF OTHER DAYS.

The Blackfeet country commenced at the mouth of the Musselshell; thence up the Missouri to its source; thence along the Rocky mountains to the headwaters of the northern source of the Yellowstone, down the Yellowstone to Twenty-five Yard creek; thence across the head of the Musselshell, and down the river to its mouth. The Crows were to occupy the country commencing at the mouth of Powder river, up Powder river to its source, along the main range of the Black Hills and Wind River mountains to the Geyser park, or headwaters of the Yellowstone, down the Yellowstone to the mouth of Twenty-five Yard creek; thence to the head of Musselshell, down the Musselshell to its mouth; thence to the head of

We have already seen in our review of the fur trade the frequent hostilities between the traders and the Indians. During that period atrocities were committed on both sides. Chardon's massacre of the Piegiens was as shameful a butchery as ever savage was guilty of. Harvey's cold-blooded murder of an Indian,—gloating over him while the wretch lay prostrate and wounded on the ground before despatching him,—was as dastardly as any crime on the long and bloody calendar of the state.

Men accounted good among their fellows felt no scruples in killing Indians. The following statements illustrative of this spirit are taken at random from biographies and other

works of early frontiersmen: "My First Shot at an Indian. I Lift My First Scalp. We wiped out the entire party." W. T. Hamilton. "Buffalo Bill's Adventures on the Salt Lake Trail—Kills an Indian." Col. Henry Inman and William F. Cody. ". . . A boy, unaided, kills and scalps two Indians." Capt. W. F. Drannan. Etc., etc., etc.

If men of this type thought lightly of taking Indian life the criminal element, such as the Road Agents, slew them for "luck" or the mere sport of the thing, women and children being given no quarter or mercy. And what was, if possible, worse than this wanton butchery, the murderers and robbers deliberately planned many of their bloody crimes against their own race to appear to be the work of Indians. Indignant whites therefore retaliated oftentimes upon innocent red men and the outraged Indians were driven to hostility.

We recoil at passages in history describing the cruel killing of women and children at the hands of savages, yet there were as revolting deeds of blood perpetrated by white men against women and babies of the Indian race. Here are a few examples quoted from contemporary chronicles:

"The wild lawlessness and the reckless disregard for life which distinguished the outlaws, who had by this time concentrated at Bannack, will appear from the account of the first 'Indian trouble.' In March, 1863, Charley Reeves, a prominent 'Clerk of St. Nicholas,' bought a Sheep-eater squaw; but she refused to live with him, alleging that she was ill-treated, and went back to her tribe, who were encamped on the rise of the hill, south of Yankee Flat, about fifty yards to the rear of the street. Reeves went after her, and sought to force her to come back with him, but on his attempting to use violence, an old chief interfered. The two grappled. Reeves, with a sudden effort, broke from him, striking him a blow with his pistol, and, in the scuffle, one barrel was harmlessly discharged.

"The next evening, Moore and Reeves, in a state of intoxication, entered Goodrich's saloon, laying down two double-barrelled shot-

guns and four revolvers' on the counter, considerably to the discomfiture of the bar-keeper, who, we believe, would have sold his position very cheap, for cash, at that precise moment, and it is just possible that he might have accepted a good offer 'on time.' They declared, while drinking, that if the d——d cowardly white folks on Yankee Flat were afraid of the Indians, they were not, and that they would soon 'set the ball a-rolling.' Taking their weapons, they went off to the back of the houses, opposite the camp, and leveling their pieces, they fired into the tepee, wounding one Indian. They returned to the saloon and got three drinks more, boasting of what they had done, and accompanied by William Mitchell, of Minnesota, and two others, they went back, determined to complete their murderous work. The three above named then deliberately poured a volley into the tepee, with fatal effect. Mitchell, whose gun was loaded with an ounce ball and a charge of buckshot, killed a Frenchman named Brissette, who had run up to ascertain the cause of the first firing—the ball striking him in the forehead, and the buckshot wounding him in ten different places. The Indian chief, a lame Indian boy, and a papoose were also killed; but the number of the parties who were wounded has never been ascertained."<sup>1</sup>

Several white men were shot in the fray by the desperadoes.

"Old Snag, a friendly chief, came into Bannack with his band immediately after this report. One of the tribe—a brother-in-law of Johnny Grant, of Deer Lodge—was fired at by Haze Lyons, to empty his revolver, for luck, on general principles, or for his pony—it is uncertain which. A number of citizens, thinking it was an Indian fight, ran out, and joined in the shooting. The savage jumped from his horse, and, throwing down his blanket, ran for his life, shouting 'Good Indian.' A shot wounded him in the hip. (His horse's leg was broken.) But, though badly hurt, he climbed up the mountain and got away, still shouting as he ran, 'Good Indian,' meaning that he was

<sup>1</sup> The Vigilantes of Montana.—Dimsdale.



friendly to the whites. Carroll, a citizen of Bannack, had a little Indian girl living with him, and Snag had called in to see her. Carroll witnessed the shooting we have described, and running in, he informed Snag, bidding him and his son to ride off for their lives. The son ran out and jumped on his horse. Old Snag stood in front of the door, on the edge of the ditch, leaning upon his gun, which was in a sole leather case. He had his lariat in his hand, and was talking to his daughter, Jemmy Spence's squaw, named Catherine. Buck Stinson, without saying a word, walking to within four feet of him, and drawing his revolver, shot him in the side. The Indian raised his right hand and said, 'Oh! don't.' The answer was a ball in the neck, accompanied by the remark, enveloped in oaths, 'I'll teach you to kill whites,' and then again he shot him through the head. He was dead when the first citizen attracted by the firing ran up."

Thus were the Indians dealt with in the early days of Bannack and Virginia City.

The account of "Liver-eating" Johnson's revolting exploit is given by J. X. Beidler in his MSS. Journal:

"One of the most noted Indian fighters of the frontier is 'Liver-eating' Johnson. At present he is past his prime, but of magnificent physique, and yet able and willing to take a hand with anyone either white or red that wishes to collide with him. A sailor by occupation, he came from the coast about thirty years ago and being exceptionally expert with his rifle was soon known as a bad man to impose on. He followed wolfing, hunting and trapping, with a big sprinkling of Indian fighting, for over twenty years. The adventures and hair-breadth escapes of this man would fill a large volume. No man of the frontier is better known than 'Liver-eater.' The manner in which he gained his name is as follows: 'At the mouth of the Musselshell river in the summer of '70 Captain Hawley kept a trading post and quite a number of wolfers stopped at his place, doing nothing in the summer time. One day in July Mrs. Jennie Haw-

ley accompanied by a friendly squaw belonging to one of the wolfers was about three hundred yards from the post, engaged in picking June-berries. While busy filling their baskets with berries they were fired upon by the Sioux concealed in the brush. Mrs. Hawley fell, shot through the neck, and the squaw was shot through the fleshy portion of her anatomy, but was able to skip for the post, yelling at every jump. The wolfers responded quickly, but before they could reach the scene of the shooting, the noble sons of the prairie had relieved Mrs. Hawley of her scalp. On examination it was found she was only creased. The bullet striking the cords of her neck merely stunned her. Water dashed in her face soon revived her. She was assisted to the house and the party of wolfers, consisting of Johnson, George Grinnell, Jim Deer and seven others whose names have slipped my memory, went after the Indians. The savages kept on the outside of the timber for about half a mile and then dropped into a washout, intending to ambush the boys. Johnson's quick eye detected the ruse, and the wolfers came down through the willows and appeared close to the washout,—so close in fact that the Indians dared not look out, and the boys dared not look in. The washout was about thirty yards long, ten yards wide, and about ten feet deep. The Indians would raise up their *coup* sticks and the boys would amuse themselves by shooting them in two. Various plans were devised for ousting them from their stronghold. About sundown two of the party went around to the mouth of the washout, which they found barricaded with shields made from the neck of buffalo bulls; also blankets were hung up to keep the whites from taking aim. The two men, being armed with sporting Spencer rifles (at that time being considered a splendid arm), opened fire and the shields and blankets offering no resistance, the balls came whistling through. The savages immediately commenced to sing their death song and climb out over the walls of the washout. It offered a splendid chance for the boys to avenge the in-

jury to Mrs. Hawley. Thirty-two of the savages passed in their checks in almost as many seconds. One of the Indians was hit through both hips and was sitting up. Jimmy Deer approached him and drawing his revolver (a cap and ball affair), he held it close to the Indian's head and snapped. The caps being next the revolver could not be discharged. The Indian dodged, winked, and then finding himself still alive, pleaded for his life. He was informed that he was too good to live in this wicked world and that his home was in heaven. After snapping the remaining five chambers with the usual amount of winking, dodging and pleading by the Indian, Johnson stepped up and claimed it as his Indian and putting his rifle to the Indian's head blew his brains out. The boys then quartered the dead Indians and piled them up in one large pile, reserving the heads, scalps and trinkets. Johnson picked up a liver of an Indian and holding it aloft asked who would take his liver rare. Several ran up and Johnson devoured about half a liver, the other boys backing down. From that he got the name of 'Liver-eating' Johnson. The heads were taken to the post and the flesh boiled off, and the skulls were placed on a low platform and labeled. And it proved a great curiosity to the people aboard the steamboats plying between St. Louis and Ft. Benton. Mrs. Hawley survived the shock and is yet living, but wears a wig."

Peter Koch gives this description of Johnson and his horrid trophies:

"The settlement and surrounding desolate, sage-brush covered plain did not usually offer many points of interest to the travelers on the steamboats, except the usual features of a village on the extreme frontier, here perhaps somewhat exaggerated; but when the 'Huntsville' landed there at the time referred to, a sight met her passengers which was certainly calculated to shock the nerves of any eastern tenderfoot. Along the brink of the river bank on both sides of the landing a row of stakes was planted, and each stake carried a white, grinning Indian skull. They were evidently the pride of the inhabitants, and a

little to one side, as if guarding them, stood a trapper, well known throughout eastern Montana by the sobriquet of 'Liver-eating Johnson.' He was leaning on a crutch, with one leg bandaged, and the day being hot his entire dress consisted of a scant, much shrunk, red undershirt, reaching just below his hips. His matted hair and bushy beard fluttered in the breeze, and his giant frame and limbs, so freely exposed to view, formed an exceedingly impressive and characteristic picture."

One of the most notable fights between civilians and Indians occurred on May 13, 1863, when the James Stuart party was attacked by Crows in the Yellowstone country. This party was the one, it will be remembered, that started on the prospecting trip that resulted in the discovery of Alder Gulch by Fairweather, Edgar and others. The day before the fight Captain Stuart noticed a herd of buffalo running full speed in the same direction he was taking. He called the attention of his companions to this, saying that they were dogged by a war party. The men watched the buffalo intently. Presently a band a mile or two in advance of the others stampeded and fled, showing that they were pursued by some unseen hunters. Stuart narrates the story of the fight in his Journal:

"May 13, 1863. Last night Smith and I had the first watch, and about eleven o'clock the horses at my end were scared at something, but it was very dark and I could not see anything. I thought it might be a wolf prowling around camp. A few minutes before eleven o'clock I sat up and lit a match to see what time it was, and also to light my pipe, but at once laid down again; we were both lying flat on the ground trying to see what made the horses so uneasy, and to this we both owe our lives. Just then I heard Smith whisper that there was something around his part of the horses, and a few seconds later the Crows fired a terrific volley into the camp. I was lying between two of my horses, and both were killed and very nearly fell on me. Four horses were killed, and five were wounded.

while in the tents two men were mortally, two badly, and three more slightly wounded. Smith shouted, 'Oh, you scoundrels,' and fired both barrels of his shot-gun at the flash of theirs, so far as we could tell next morning without effect; he most probably fired too high. I could not fire for the horses were in the way. I shouted for someone to tear down the tents, to prevent their affording a mark for the murderous Indians a second time. York rushed out and tore them down in an instant. I then ordered all who were able to take their arms and crawl out from the tents a little way, and lie flat on the ground; and thus we lay until morning, expecting another attack each instant, and determined to sell our lives as dearly as possible. When at last day dawned, we could see a few Indians among the rocks and pines on a hill some five or six hundred yards away, watching to see the effect of their bloody work. An examination of the wounded presented a dreadful sight. C. D. Watkins was shot in the right temple, and the ball came out of the left cheek-bone; the poor fellow was still breathing, but insensible. E. Bostwick was shot in five places—once in back part of shoulder, shattering the shoulder-blade, but the ball did not come out in front; three balls passed through the right thigh, all shattering the bone, and one ball passed through the left thigh, which did not break the bone; he was sensible, but suffering dreadful agony. H. A. Bell was shot twice—one ball entered at the lowest rib on the left side and lodged just under the skin on the right side; the other ball entered near the kidneys on the left side, and came out near the thigh joint. D. Underwood was shot once, but the ball made six holes; its first passed through the left arm above the elbow, just missing the bone, and then passed through both breasts, which were large and full, and just grazing the breast-bone. H. T. Geery was shot in the left shoulder-blade with an arrow, but not dangerously hurt. George Ives was shot in the hip with a ball—a flesh wound; S. T. Hauser in the left breast with a ball, which passed through a thick memoran-

dum-book in his shirt pocket, and stopped against a rib over his heart, the book saving his life. Several others had one or more ball-holes through their clothes.

"We held a council of war; concluded that it was impossible to return through the Crow country, now that they were openly hostile; therefore determined to strike for the emigrant road on Sweetwater river, throwing away all of our outfits except enough provisions to do us to the road. Watkins was still breathing, but happily insensible. Poor Bostwick was alive and sensible, but gradually failing, and in great agony. With noble generosity he insisted on our leaving him to his fate, as it was impossible to move him, and equally impossible for him to recover if we remained with him, and which, he said, would only result in all of us falling victims to the fiendish savages. He asked us to hand him his trusty revolver, saying he would get even on the red devils when they came into camp. We gave it to him, and a few moments later were startled by the report of his pistol, and filled with horror when we saw he had blown out his brains."

This was one of the most heroic self-sacrifices of the early days.

Bell, who was believed to be mortally wounded, recovered.

Thus far the hostilities had been between bands of Indians and isolated groups of civilian whites. The government had taken no official part.

A military expedition in command of General Atkinson came up the Missouri in 1825. The troops were accompanied by Major O'Fallon. Their object was a peaceable one—to treat with the different Indian nations, and, incidentally, to impress them with the power militant of the United States. Amongst others with whom they conferred were certain bands of the Crows, who were then visiting the Minnetarees.

In 1864 another military expedition came up the Missouri. This time the object was not peace but war. In the thirty-nine years since the earliest visit of the troops a change



had come over the spirit of the people. Civilization was sweeping westward and the Indians, driven before it, had begun a terrible race-wide retreat. Perhaps the first of the north-western nations to realize the overwhelming menace of immigration were the Sioux or Dakota nation. During 1863 these people had been driven out of Minnesota and nearly all of Dakota by troops under the command of Generals Sibley and Sully. There had been several battles in which the Indians were defeated. Thus ousted from their ancestral domain they fled westward, encroaching upon the territory of the Crows. It may be seen at a glance that in routing the Indians from their own ancient hunting-grounds they were forced into that which to them was foreign territory—the land of another Indian nation.

After the gold discoveries in Montana, the rush of settlers and the desultory outrages on both sides, the Indians became uneasy, suspicious, treacherous. After the campaign in Minnesota and Dakota the military authorities determined to follow the retreating but still defiant Sioux westward beyond the Missouri, force them to do battle and conquer them if possible.

In pursuance with this plan, an expedition under Gen. Alfred Sully, composed of four thousand cavalry, eight hundred mounted infantry, two batteries or twelve pieces of artillery, three hundred teams and three hundred beef steers, accompanied by fifteen steamboats to carry supplies, came up the Missouri in their work of conquest. This was in the spring of 1864. On the 4th of July the troops were joined by an emigrant train of two hundred and fifty souls and sixty teams, all bound for the gold fields of Montana. Fort Rice was located by General Sully on this expedition.

There were two important engagements during the campaign, the first, known as the battle of Killdeer Mountain or "Kill-the-deer-butte," took place near Knife river on July 28, 1864. Two thousand two hundred United States soldiers and possibly between five and six thousand Indians fought. The second battle is called "Waps-chon-choka." The

scene of this bloody fray was in the Bad Lands near the Little Missouri. The date was August 9th and 10th. Bows and arrows were matched against artillery. The result may be imagined. The officers in command estimated that 8,000 Indians took part, that 311 were killed and between 600 and 700 wounded. The casualties of the Americans were 9 killed and 100 wounded.

The Military Division of the Missouri was established January 30, 1865. The headquarters of this department were situated at St. Louis and included the northwest territory. Montana now had its regular military protection.

In the spring of 1866 the 13th Infantry was ordered up the Missouri to establish a post. Fort Howie, the abandoned post of the Montana militia organized by Acting Governor Thomas Francis Meagher to resist the hostile Sioux, was at that time the only military post in the state. Now, however, Camp Cooke was founded. It was located one hundred and twenty miles below Fort Benton on the Missouri river. During the next year Fort Shaw on Sun river and Fort Ellis on the east Galatin were built. In 1869 Camp Cooke was abandoned and another post, Camp Baker established on Smith's river. The headquarters of the District of Montana were at Fort Shaw and during the greater part of the time it was commanded by Col. John Gibbon of the 7th Infantry.

In 1854 congress passed a bill appropriating \$80,000 for concluding a treaty with the allied tribes of the Blackfeet nation. This was brought about largely through the efforts of Gov. I. I. Stevens, assisted by Major Culbertson. During the autumn Governor Stevens ordered the purchase of one thousand dollars worth of supplies to be distributed to the Gros Ventres and Piegans. These supplies consisted of sugar, coffee, rice, flour and tobacco—and this was the first known instance that the Gros Ventres had tasted the food of civilization. The result was disastrous. After they had eaten, "many a robust warrior and still a greater number of women and children

were doubling and rolling in the agonies of a severe colic." Several died from the effects. Only the high esteem in which Major Culbertson was held by the people prevented his immediate and violent death at their hands, for the more suspicious believed that they had been poisoned.

Gov. I. I. Stevens and Alfred Cummings, superintendent of Indian affairs and afterwards governor of Utah, had been appointed commissioners to effect the treaty with the Blackfeet. Governor Stevens, who had come from Puget Sound, and Alfred Cummings, who had accompanied Major Culbertson up the Missouri from St. Louis, with Indian Agents Robert Vaughn and Hatch, met at the crossing of the Milk river. "There," says James H. Bradley, "the commissioners arranged the details of their organization, though not without a great deal of dispute as to who should take the precedence, Stevens finally yielding. In the dispute, however, an ill feeling was engendered between the commissioners that lasted throughout the entire proceedings. The whole party then proceeded to Fort Benton, arriving about the last of August, Al Cummings accepting an invitation to stop in the fort, but Governor Stevens declining and camping with his party outside."

The treaty grounds chosen for the conference were just below the ruins of Fort F. A. C. on the north bank of the Missouri, nearly opposite the mouth of the Judith river. About two thousand Indians gathered, including representatives of the North Blackfeet, Bloods, Piegiens and Gros Ventres.

The treaty was successfully concluded, the proceedings which continued some ten days terminating late in October (1856) with a lavish distribution of gifts, consisting mainly of blankets, cotton prints, sugar, coffee and flour.

In 1865 Hon. Lyman E. Munson and the governor, accompanied by an armed escort, left Helena for Fort Benton to effect a second treaty with the Blackfeet nation. They were joined en route by Maj. Malcom E. Clarke.

Judge Munson describes the council as follows:

"At Benton we met about seven thousand five hundred Indians composed of different tribes gathered there in expectation of great results. Indians claimed all that country as theirs. Indian tepees fringed the hillsides and pioneer cabins dotted the valleys. The bow sped the arrow for game and other trophies, and the crack of the pioneer rifles echoed from valley to hill top. Antagonistic forces contended for mastery over the situation, but civilized agencies had their innings, and chaos its outings in a battle well won for the former, and defeat for the latter. Human life was unsafe and cheap on both sides. A good opportunity for skill in marksmanship, with either rifle or bow and arrow, was frequently rewarded with bloody trophies. Whites would murder whites for plunder, scalp and mutilate their victims, and then report it as an Indian massacre, to be followed by similar outrages upon the Indians. Indians were more sinned against than sinning.

"We made a treaty, by which the Indians were to give up their coveted lands, the lands of their fathers, the gamiest country in the world, and go onto a reservation on Canadian borders, and we distributed to them about \$7,500 in annuities, ostensibly one dollar for each Indian, squaw and papoose. These annuities consisted of dry-goods, groceries, hardware, etc., suitable to necessities, wants and desires of the Indian."

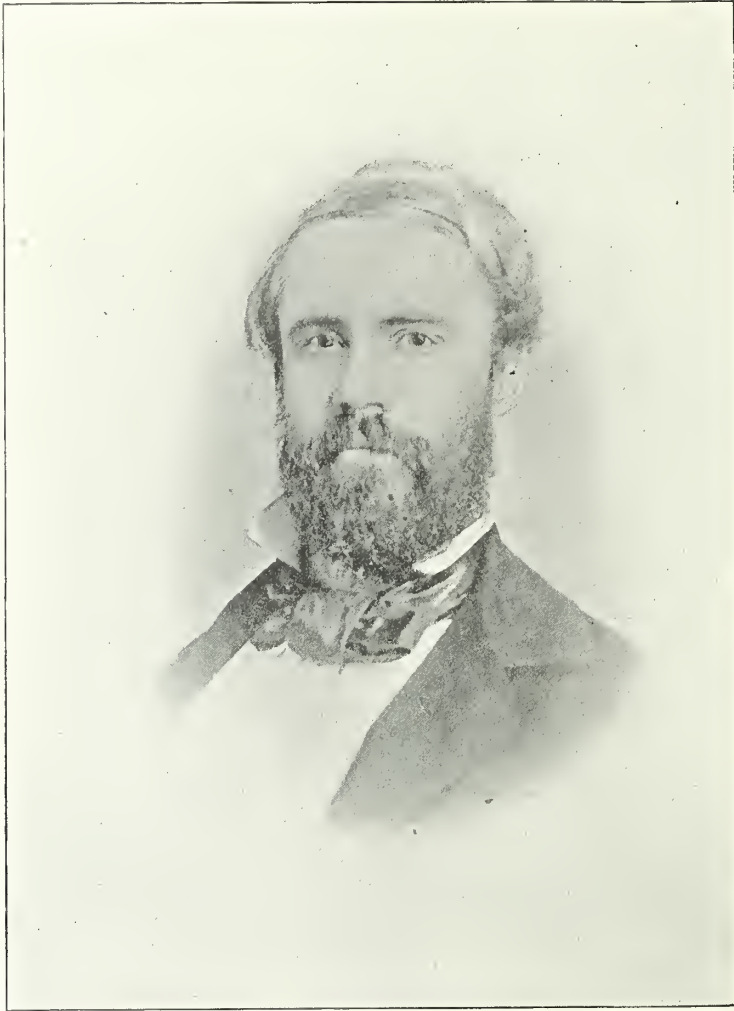
During the summer of 1869 four or five wagons were attacked by Indians, who were afterwards discovered to be Crows. One or more white men were killed. This took place about fifteen miles from Fort Benton. The populace was in arms. At this critical time the brother Mountain Chief, of the head chief of the Blackfeet nation, and a Blood youth, fourteen years of age, rode into the post with special orders from Maj. Alexander Culbertson. These innocent Indians were shot down like coyotes, by people who called themselves civilized and Christian—peo-

ple who, perchance, were decrying the outrage of lynchings in the benighted South.

The Mountain Chief was powerful. He was at the head of a great confederated nation. The Indian had no court of appeal. For him

certain that he would brook no such wrong nor would the killing of his brother and his brother's companion go unavenged.

We must now go back a bit to the dramatic story of Maj. Malcom Clarke, which has



MALCOLM CLARKE

justice was nil. There was no redress for his wrongs, save the war-path. The murderers went unpunished, so slight a thing was a red man's life, whether he happened to be innocent or guilty of a hundred crimes. In his own land he had become an alien!

Those who knew the Mountain Chief were

such a direct bearing upon the tragical events that ensued.

Malcom Clarke had married the daughter of a chief of the Pieguns, or Pi-kan-ies. He had five children, Helen, Horace, Nathan, Isabelle and Judith. He was held in high esteem among the Indians, who called him first the



"White Lodge Pole," then because of a marvelous kill of grizzlies the "Four Bears."

Calf Shirt, chief of the Bloods, received him in council, smoked with him and said:

"My friend, you are continually acting in a manner displeasing to the nation. We think you wicked; that is nothing; but this touches us; you give us less for our robes than the other traders. With that silvery tongue of yours you make my young men come and go at your beck, and we cannot understand it. There is my brother-in-law, Little Beaver (Alexander Culbertson), who gives me, gives us all, magnificent presents; pays us richly for our robes; treats me in a way that is gratifying to the great chief. But what is most singular your very smile will make my men take their robes from the others and give them to you. There is something about you which steals away our hearts against our inclinations. What power do you possess? Has the spirit of the Manitou fallen on you? I say to you I hate the white man, but I hate you less than any white man I ever knew."

Such was Malcom Clarke among the Indians.

He had retired from the American Fur Company and was living with his wife and children in the Prickly Pear valley, near Helena. In the spring of 1867 a little band of Piegan relatives rode up to Major Clarke's ranch. They were Ne-tus-che-o, a cousin of Mrs. Clarke, his wife, mother, sister and brother. They were welcome guests. Within a week after their arrival their horses and those of Major Clarke were stolen out of the corral. Fresh tracks were found which showed the horse-thieves to be white men. Immediate pursuit was made, but without avail. Later, some of the Indian's horses were located, but the authorities made no effort to restore them to him. Miss Helen P. Clarke asks, with truth, "What law is there in Montana, or anywhere, for upholding an Indian's rights?"

Major Clarke was justly indignant. His wife's relatives had been robbed while they were under the protection of his roof. The

circumstance placed him in a compromising position, but how tragically it was to end, and how far-reaching its dire consequences should be, no one could foresee.

Ne-tus-che-o brooded over his loss and became suspicious. His horses were more precious to him than life itself. Accordingly, in the dead of night, he and his family stole away, taking with them a band of Major Clarke's horses and a spy-glass. Ne-tus-che-o had trouble in driving off the stock and a few of them stampeded at a ford on the Little Prickly Pear. Some freighters were camped there who heard the galloping and confusion in the night and, who, when morning dawned, found the horses, which were marked with Major Clarke's brand. The others carried off by Ne-tus-che-o were located. Major Clarke was fearless. He started out, with his son Horace, hot on the trail of the thief, for the Piegan village. Scarcely had they arrived when Ne-tus-che-o rode up on Horace's favorite horse. The young man, incensed at this bold effrontery, advanced, took the pony from the Indian and lashed him across the face with his riding whip, saying: "Ne-tus-che-o, you are a dog!"

He was surrounded in a moment by twenty warriors, who were ready to avenge the insult to their companion. At this crisis, the old men, alarmed by the war cry, rushed out, reprimanded their hot-headed youths and saved Horace's life.

Major Clarke, who had thus far remained quiet for fear of hastening the doom which he knew threatened his son, now stepped forward, looked into Ne-tus-che-o's eyes with piercing gaze and said, in "words clean-cut, so that all might hear:"

"Ne-tus-che-o, you are an old woman. The loss of the horses I might have forgotten, but the spy-glass—never!"

The thief was publicly humiliated and Major Clarke and his son rode off with their horses.

The second winter following, that is in 1869, Major Clarke spent the season in the Piegan

camp. Ne-tus-che-o acknowledged his wrong, saying:

"Whatever the Four Bears did was right."

But he harbored a feeling of enmity towards Horace. Even that, however, apparently cooled with the passing of the moons.

The purpose of Major Clarke's visit was to ascertain if it were practicable to establish a trading post, and again open up trade with the Piegans. The Mountain Chief was the head of the nation. He was the friend of Malcom Clarke and spoke frankly. He said:

"I despise the whites; they have encroached on our territory; they are killing our buffalo, which will soon pass away; they have treated my nation like dogs; and, hereafter, I shall no longer be responsible for the depredations which may be committed by my young men; for we, the Pi-kan-ies, have been made to suffer for the bad deeds of the other tribes. We do not wish these pale faces to come to our villages. If we desire to trade, we will go into their forts, dispose of our robes and leave. There is nothing in common between us! With you, my friend, it is far different; you have identified yourself with us by marrying into the nation and have children. Therefore, we suffer you among us."

The outrages of Harvey, Chardon and others were doubtless in the Mountain Chief's mind. In the middle of July of the same year the killing of his brother and the little Blood boy occurred in the streets of Benton. When tidings of this double murder reached the Piegan camp, "the nation groaned, then became angry." Preparations for the warpath were begun at once. In the words of Helen P. Clarke, "What mercy could be expected from infuriated savages? . . . Yet, mercy was shown to the whites in the camp. The Mountain Chief told them that he would not be responsible for what his young braves might do; therefore, he wished them to leave, and would provide them with an escort until they were beyond their enemy's country. He also promised that his warriors would not be allowed to start on the warpath for twenty-four hours."

Captain Clarke knew the temper of the Mountain Chief and when he heard of the murder, prophesied the uprising of the Black-foot nation. Personally, he was fearless and he hoped to be able to reach the Piegan village in time to dissuade the Mountain Chief from that which threatened to be a terrible and far-reaching campaign of vengeance. This was destined not to be. Within two weeks Clarke's horses were driven off. Before a month passed eight hundred head of stock had been stolen from the white settlers and the Pend d'Oreilles.

One night in August the Clarkes were startled by the sudden barking of dogs. It was nine o'clock—an unusual hour for visitors at a ranch somewhat isolated.

There was a rapping at the door, and four Indians entered, headed by Ne-tus-che-o. Among them was the son of Mountain Chief, a nephew of the Indian murdered at Fort Benton. With them were also Black Weasel and the young Bear Chief.

This was the first time that Ne-tus-che-o and Horace had met since the memorable encounter in the Piegan village.

Ne-tus-che-o advanced towards him and pressed upon him that which purported to be the kiss of peace. Strange things had happened between these two—not only that crisis which had nearly ended fatally for Horace, but another serious matter. One day he, Ne-tus-che-o and the latter's wife were riding, when Ne-tus-che-o offered her to him. Horace declined to accept her hand, and, as he did so, Ne-tus-che-o drew his knife and would have plunged it into her heart had Horace not interfered and saved her life. Now, apparently all past differences were forgotten and they were friends.

The reasons given by the Indians for the visit were that they had come to restore some horses stolen by the Bloods three years before, and, also, that they were a delegation sent by the nation to invite the Four Bears to come again and trade with them, as he had in days gone by. Major Clarke was delighted. It seemed that his hopes were to be realized in

spite of the growing animosity of those Indians for the whites. The rest of this tragical story shall be given in the words of Helen P. Clarke:

"In the meanwhile, Horace was making preparations to go with this same young man (Mountain Chief's son) a mile or two above for the horses that had been left there. I well remember that he could not find his pistol, and I remarked: 'What is the use of a firearm? You are with a friend.' Father indorsed this sentiment, and, as my brother could not find the missing article, he made a virtue of necessity and started off without it. They had ridden about a mile from the house, when the young man said: 'My friend, the horses are just above here. Your animal is so much finer than mine, keep in advance.' Horace, thinking nothing of this, kept ahead four or five feet. Suddenly, hearing or fancying he heard the click of a pistol, he reined in his steed, looked at the young man, whose derringer was levelled, and eyed him sharply. The cap snapped. The Indian rode along by his side and smilingly commented: 'My friend, you are a brave, you have a great heart.' Now, this thing is done among Indians to try one's courage, and my brother thought no more of it. But when the young fellow commenced singing in the Crow language—in an enemy's tongue—he felt his hour had come. The treachery of the others then dawned on him. He thought of his father, of us all. He was so helpless, no firearm near, no friend, no means whatever of escape. What could he do? Run? Others were probably in the bushes. He had to die. Fate had so decided. Like the great Spartans of old, he determined to face it coolly, calmly, without a murmur. The Indian fired, the ball entering at the side of the right nostril, and, passing through the face, came out just in front of the left ear. He fell, became entangled in the lariat, and was dragged a short distance, but was soon loosened from it. Another shot was fired, but touched him not. Two or more savages rushed out from their hiding places and came to my poor brother, rolling him over and rifling

his pockets. He bled profusely, and, as he purposely kept quiet, they left him for dead. In consideration that the same blood flowed through his veins as in theirs, they also left him his scalp. And there he lay, almost pulseless. Recovering, however, from the bewildering effects of his wound, but still weak from the loss of blood, he managed to crawl within hailing distance of the house.

"All this time conversation had been carried on in my father's room between him and Ne-tus-che-o. I noticed, however, that the latter kept his blanket over his hands, as if he had something in them. I know now it was a firearm, and that he intended murdering my father in the house, and had he done so, it would have been fatal to us all. . . . Ne-tus-che-o, I knew, had been involved in serious difficulties; he had recently killed his father-in-law, and we supposed he had come to us for protection. There was just at this time an unusually bitter feeling towards the red men, and my father, being aware of this, was planning how he could keep Ne-tus-che-o without arousing the suspicions of his white neighbors until some way was provided and he was able to go to camp to adjust matters. Rising from his seat, he started for the door, calling to Ne-tus-che-o to follow. Ah, distinctly I remember his last smile, sad, tender and bright, flashing 'like a rainbow from a misty sky.' As the latter was nearing the door, Pilate-like showing an outward pity, he referred to my sister, who had died a few months previous, with so much tenderness, and spoke of her beauty and gentleness. The door was scarcely closed when the report of a gun was heard. Isabel rushed out. Ne-tus-che-o pushed her back, and told her it was the young men shooting at marks. She insisted on following. Turning; he whispered he would kill her. I, of course, did not hear this, otherwise I would have been alarmed. He then took a gun, and the Bear Chief, a powder horn. Both belonged to father. They handed them to our herder, an Indian boy of some seventeen years. This seemed not singular, Ne-tus-che-o was a relation. Everything we owned was free to



him and to his friend. Another report of a gun. I was seized with a sudden faintness, but managed to reach the back part of the house, hoping to find someone there. I went to it; and, imagine my terror at the confusion that passed before my vision. Horses and Indians running backwards and forwards with an aimless purpose. Not one, not two, but hundreds it seemed to me, and for a moment I thought the demons in hell had broken loose. As I looked heavenward for mercy, 'There seemed no light \* \* \* but the cold light of stars.'

"Just then I heard my brother's voice. He was about a hundred yards away. Clear and distinct his words fell on my ears: 'Father, I am shot!' That father had already received his final blow. The shot that was fired at the moment Horace's words came to me was the fatal one, we afterwards heard. I urged Isabel to go and see what had become of him, but my heart's premonitions had already told me that he had passed into the shadowy river, and was far on the way into the unknown land. I ran out to assist Horace; even then I could not, would not believe it was Black-feet who had done this deed. In my excitement, and my wish to exonerate them, I said to Horace: 'It was not that Indian who went with you that shot you! Oh, no, it was not that one! It was a Pend d'Oreille, was it not?' 'No, Nellie, it was that one,' he replied. 'Horace, are you sure?' It was so hard to believe that they, the Pi-kan-ies, our blood, had proved so unworthy of the trust we had reposed in them. Horace then asked after father, I answered: 'Gone!' I knew we should never hear his voice again. I knew also that they had tasted blood, and would not be satisfied until more was shed. With the assistance of Black Bear (a great-aunt of ours) I brought in my brother. As we were nearing the house I saw an Indian standing by that side of the building, facing the stream, and on seeing us, he fired towards the river. I learned afterwards that it was Shanghai, or Black Weasel. Isabel was picked up by him when she was running around trying to find

father, and he told her then that he never dreamed that Ne-tus-che-o would be guilty of so horrid, so ungrateful an act, and he lamented our father's and our brother's sad fate. The Bear Chief asked her: 'What is the matter?' and she answered: 'Oh, my brother is shot; please do help us,' he petted her and told her the Pend d'Oreilles had shot him."

After the killing of Major Clarke, Ne-tus-che-o and his band left. The survivors of that bloody scene, including the wounded Horace barricaded themselves in Helen's room, leaving Black Bear in an outer-room to intercede with the murderers should they return to complete their work of vengeance. She had not long to wait. In an hour they were back and breaking in the house wreaked their fury on inanimate things, smashing furniture and ornaments and leaving desolation everywhere. There was dissention among the Indians. Two wished to take the members of the family prisoners and others advocated killing them at once. The special object of Ne-tus-che-o's hatred was Horace. He exclaimed:

"Horace is alive, he is somewhere in the house and *he is in that room!*"

He had scented his prey. He laid his hand on the door to force an entrance. It groaned and shook. Inside that darkened chamber the wounded man noiselessly struggled to his feet and raised his hatchet rearily to defend his mother and sisters to the death.

The old Black Bear approached the blood-drunk Ne-tus-che-o. She touched him on the shoulder and said:

"Horace is dead. The Four Bears is dead. Have pity. The man you murdered to-night was your best friend. You have committed a deed so dark, so terrible, that the trees will whisper it, and before the sun reddens these mountains a hundred horsemen will be here to avenge his death."

Bear Chief was impressed. He spoke to his companions, saying that enough blood had been spilled and that he had not come to make war on women and children.

They slunk away but not until Ne-tus-che-o had vowed:

"Before another moon is seen I shall be back. I want your blood."

All this while young Nathan had been away towards the Bear's Tooth looking for stock. He returned the following afternoon and vowed vengeance upon his father's murderers.

On August 19, 1869, Major Clarke was buried near the cañon of the Little Prickly Pear in the spot he had chosen as his last resting place.

General William T. Sherman, commander-in-chief of the army of the United States, stopped in Helena in 1877 enroute from a trip to the Yellowstone Park. After leaving Helena General Sherman and his staff stayed over night at the ranch of James Fergus in the Little Prickly Pear cañon. The general found a grave near by. It was that of Malcom Clarke. Upon being told who slept there, General Sherman said: "He well remembered Malcom Clarke who had been a fellow-cadet with him at West Point and a great favorite there, whom he had then known as a remarkably bright, open-hearted, and high-spirited young man, and for whom he had always prophesied a brilliant future; that he had often scanned reports of operations during the war of the rebellion with the idea in his mind that he might see the name of Malcom Clarke in connection with some heroic and dashing enterprise; and, finally, that he had lost all trace of his schoolmate since their life at West Point until the discovery by him of this sepulchre among the solitudes of the Rocky mountains."

This tragedy precipitated the Piegan war which culminated in Baker's raid. The Indians had perpetrated and suffered many wrongs and as is too often the case the innocent on both sides were victims. The cold-blooded murder of Mountain Chief's brother and the young Blood boy in the streets of Fort Benton on the one hand; the treacherous killing of Major Clarke on the other, aligned the Indians and the whites into hostile and opposing forces.

The assassins who struck down Captain

Clarke were demanded of the Piegans by the United States. They refused to comply. A desultory guerilla warfare raged between the two nations. On September 27, 1869, the superintendent of Indian affairs for Montana reported to the commissioner of Indian affairs, that other outrages had been committed by Indians "supposed to be Blackfeet in the vicinity of Helena." One James Quail lost a number of horses and mules and having gone off alone to seek them, was killed. His body was found afterwards, riddled with arrows, and mutilated. A few days before, nine Indians had been seen in that neighborhood driving off stock. These matters were referred by the war department to the division commander, who decided that when the long, northern winter began and the Indians were unable to travel, he would dispatch troops from Fort Ellis or Fort Shaw to crush them. On January 19, 1870, a column composed of troops "F," "G," "H" and "L," Second Cavalry, and a detachment of some fifty-five mounted infantry commanded by Brevet Col. Eugene M. Baker, departed from Fort Shaw to attack Mountain Chief and his band, of approximately fifteen hundred men, women and children. This camp was on the Marias river.

Some half-breed scouts agreed to guide Baker's command to the Indian village. There were, besides, with the troops some volunteer civilians,—among them Horace and Nathan Clarke.

The scouts finally reported that they had discovered the camp of Mountain Chief. After a secret night march on January 23rd, the troops came upon an Indian village in the darkness. It was in about the same place as that supposedly occupied by the hostile camp and the soldiers advanced to surround it.

The whole matter was a hideous mistake. This was a smallpox camp at the head of which was Heavy Runner, a man who had been unswervingly friendly to the whites. His lodges were filled with stricken women and children. The old man heard the advance of the military and went out to greet the troops. He was quite alone. He held high above his

head his credentials attesting his loyalty to the government. He was unarmed. Nevertheless a private raised his gun and shot him through the heart. He pressed his arms together over his breast, sank slowly to his knees and fell over,—dead. There can be but little doubt that the soldiers knew from this moment that it was not the camp of Mountain Chief, the avowed enemy of the United States, but that of Heavy Runner, a friend, whom they were about to attack. Responsible persons who were present, state that Colonel Baker was drunk and unable to understand or direct the movements of his men. They advanced, fell upon the camp and massacred the helpless victims. The official records report one hundred and seventy-three Indians killed and twenty wounded. Nearly all of these were women, children or men too sick with smallpox or stupefied with alcohol to defend themselves. The able bodied warriors were off hunting.

Mountain Chief was camped at no great distance down the river. Had the attacking

party descended upon him then they would likely have routed his forces. After this slaughter of the innocents indecision prevailed as to whether to proceed to Mountain Chief's camp or not. The officer commanding was not in a condition to decide. No subordinate cared to take the responsibility of precipitating a second attack, so with the exception of a few individuals, who disappeared, the soldiers bivouaced for the night. When they finally reached Mountain Chief's camp he and his followers had fled. Horace and Nathan Clarke, who were with Baker's command, were not acting in the capacity of scouts but had joined the expedition in order to help mete out punishment to those who had murdered their father.

Ne-tus-che-o was with the Mountain Chief. Shortly after the massacre of Heavy Runner's band this assassin was chasing buffalo when a shot fired by an unseen hand laid him low. He died like a dog, alone on the prairie.

Malcom Clarke was avenged.

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## CHAPTER XV

### THE SIOUX WAR—BATTLE OF THE LITTLE BIG HORN—THE NEZ PERCE WAR—BATTLE OF THE BIG HOLE—THE CAPTURE OF CHIEF JOSEPH—THE GHOST DANCE AND THE BATTLE OF WOUNDED KNEE

During the next decade the trouble with the Indians was the result of two causes: the pledge of the United States to give military protection to the surveying parties and construction crews of the Northern Pacific Railroad in the course of its building and the determination of the government to corral the Indians within certain prescribed limits—that is, on reservations.

The great Sioux nation which ranged over Minnesota, the Dakotas, and portions of eastern Montana seemed to realize first that the coming of the railroad was the Indians' downfall. They had been for some time past in a belligerent state they had borne the brunt of advancing civilization in Minnesota before its resistless tide swept the western plains and encroached upon the tribes dwelling there, and they knew that this ponderous connecting link between the Atlantic and the Pacific would accomplish two things; the annihilation of game and the rapid settlement of the country by white men. Both were fatal to them. Smalley, the chronicler of the Northern Pacific road, states with some naïveté that these Indians were inspired by a feeling of "barbarous patriotism" which made them determined to fight for their birthright, and if need be, to die in defense of the land of their fathers.

The principle involved was one greater than the Northern Pacific Railroad backed by the army of the United States, against the Sioux nation. It was civilization against the savage. It was the survival of the fittest and evolution which neither pities or spares. From the Indians' viewpoint it was doom to

freedom, to plenty and at last to life, and can any one question their right to defend their land when that land was invaded by an alien race?

Difficult as it may be to reverse the point of view to that of primitive people, still we must remember that the Indian who resisted our occupancy most fiercely was his race's best patriot.

In fulfilment of its agreement with the Northern Pacific, a project which was of national moment, two military escorts were furnished by the government, one to protect the western, the other the eastern unit of construction. Not only was this done but the troops in the field throughout the district spanned by the railroad's right-of-way, were ordered to drive the Indians back as far as possible from the line.

At this time Gen. W. T. Sherman was commander-in-chief of the army; Lieut.-Gen. Philip H. Sheridan commanded the Military Division of the Mississippi; Maj.-Gen. W. S. Hancock commanded the Department of Dakota which included northern Minnesota, Dakota and eastern Montana. He was succeeded by Gen. Alfred H. Terry. Brig.-Gen. E. O. C. Ord, George Crook, O. O. Howard and Nelson A. Miles, in turn commanded the Department of the Columbia. All of these officers took a prominent part in the military operations which made possible the building of the railway and resulted in some of the most important Indian campaigns of the west.

The surveying party sent out from St. Paul in 1869 by Jay Cooke & Co., under Governor Marshall of Minnesota to make a reconnais-

sance as far as the Missouri river was provided by General Hancock with an escort of soldiers. The surveying expedition which set out from the Pacific coast during the same year, headed by Chief Engineer Roberts, was likewise given military protection by the commander of Fort Ellis near Bozeman. Neither of these parties was molested by Indians.

In the year 1872 the company was ready to extend its surveys over that section of the country from the base of the Rocky mountains to Bismarck on the Missouri river. Again two surveying parties were to operate. One was to commence at the Missouri river and proceed to the west. The other was to begin work on the Upper Yellowstone and follow that stream until it should meet the first party at the mouth of Powder river. The eastern expedition was accompanied by a detachment of about one thousand men, commanded by Col. David S. Stanley. Gen. John Gibbon, commanding the District of Montana, assigned the escort for the western party. He chose for this duty companies C, E, G, and I, Seventh Infantry from Fort Shaw and companies F, G, H and L, Second Cavalry from Fort Ellis. These troops were commanded by Maj. Eugene M. Baker, Second Cavalry, the same who led the Baker massacre.

Just at this time a large war party numbering from 800 to 1,000 Sioux were headed for the Crow country on a campaign against that nation. About the 12th of August their scouts discovered that they had blindly stumbled upon Baker's command. There was a sudden halt and a council among the Indians. As yet they were undiscovered and the more conservative advised that they slip by secretly and carry out their original plan of attack against the Crows. The younger and more hot-headed warriors wished to try to capture the horses of the cavalymen which would be a rare prize.

On the morning of August 14 the soldiers were in camp. The year before a party of engineers with a cavalry escort under Captain Ball had finished the survey down the Yellowstone valley to the Place of Skulls, so

now the troops having reached the field of the summer's work were resting, while Colonel Hayden was completing his plans of the survey. A few straggling Indian dogs had aroused some suspicion, but it was soon forgotten. Bradley states that "the general feeling was of confidence and security; and not only were no especial precautions taken by the commander of the force to guard against an attack, but upon the very night fixed for it he permitted himself to become unfitted for the proper performance of his duties by an over-indulgence in strong drink." Lieut. William Logan, a brave and efficient young man, was officer of the guard. He did not share the care-free confidence of his companions, mistrusted that the Sioux lurked near and did all that lay within his power to prevent a surprise by the enemy.

Fortunately, the camp was located upon ground easy to defend—bordering a stream, with a wooded slough "sweeping in a semi-circular direction around it so as to form in connection with the river what may be termed an island of two or three score acres area" and at long rifle range from the adjacent bluffs. The slough was left unguarded, and had the Indians wished to attack the troops rather than steal horses, they might have done so from this quarter. They divided their warriors into two detachments; one, composed of several hundred, was stationed on the lower side of the camp where they were hidden in the willows and timber. The other war party "was to seek by an attack upon the landward side" to engage the troops while those concealed attacked the rear and drove off the horses and buffalo.

About three o'clock in the morning the first shots were fired from the timber on the side of the slough toward the land and the Indians advanced toward the island to capture the horses. The most reckless of them dashed amongst the animals but the little guard never flinched, opened a furious fire at short range and began driving the cattle and ponies in the direction of the corral. Luckily the herd did not stampede. Lieutenant Logan was equal

to the emergency. He threw his entire guard between the herd and the Sioux, who were repulsed by the steady fire of the troops. The animals were driven into the corral and saved.

In describing this battle James H. Bradley, who obtained his information from trustworthy eye-witnesses, states:

"At the first alarm the troops had promptly formed in their company streets, and awaited the orders of the officer in command. As soon as the infantry battalion was under arms Captain Rawn, its commander, reported to Major Baker for orders and found him still in bed, stupefied with drink, skeptical as to the presence of an enemy, and inclined to treat the whole alarm as a groundless fright upon the part of the guard. It was difficult to get any order from him, but at last he directed Captain Rawn to hold his men in camp; and, disgusted and angry, that officer returned to his command and upon his own responsibility deployed Companies E (Lieutenant Reed) and G (Lieutenant Browning) in line on the lower side of the camp, facing the thicket in which the ambuscade had been formed. Lieutenant Reed occupied the right, with his right flank resting on the stream, and thus posted the men of both companies lay down in the tall grass."

So far the war party ambushed in the willows had made no move to betray their presence. As day dawned they began to creep forward, but Lieutenant Reed discovered them by the "sudden rustling and swaying of the willows." Deadly volleys were at once poured in that direction and shortly the brush was cleared, the Indians scattering in utter confusion towards the bluffs. By eight o'clock they were observed to be in full retreat. It was afterwards ascertained that they lost forty killed and many wounded whom they bore away with them. Their precipitate flight showed them to be utterly routed and demoralized. The officers were anxious to follow them and (says Lieutenant Bradley) "Major Baker at one time ordered Captain Rawn to get two of his companies in readiness to move, announcing his determination to take them and two companies of his 'busters'—as he was

pleased to call the cavalry—and pursue; but he soon forgot about it or changed his mind."

Only one soldier was killed and three wounded.

After the battle the troops moved down the Yellowstone. The officers were anxious to continue the march but Engineer Hayden, fearing further hostilities, desired to return.

On the twentieth of August near Pompey's Pillar, the entire expedition changed its course towards the Musselshell, thus abandoning for the time, the survey to Powder river, which had been the original plan.

During the succeeding two years, that is in 1873 and 1874, there was no open hostility on the part of the Sioux. They committed occasional depredations such as horse-stealing, but that was all. In the latter year it was determined by the Division Commander, with the consent of the President, the Secretary of War and the Secretary of the Interior, to make a reconnoissance penetrating into the heart of the Indian country, with a view to establishing a large military post in the Black Hills. Thus controlling a point in the interior of their land, as a base of operations, the soldiers could descend upon them, and "threaten the villages and stock" if they showed evidence of attacking the settlements.

General Terry organized such an expedition and placed it in command of Lieut. George A. Custer of the Seventh Cavalry, "who," wrote Lieutenant General Sheridan, "was regarded as especially fitted for such an undertaking."

The detachment started from Fort Abraham Lincoln, then the end of the Northern Pacific Railway, and proceeded to the Black Hills. It was a desirable country for a post, with plenty of water, grass and timber, and, incidentally, gold, which the soldiers discovered. Custer's report was favorable and once more the establishment of a powerful fort there was urged but when it was finally authorized several years afterwards, it was too late to serve the purpose for which it was intended.

Indian affairs in Montana were approach-



ing a crisis. There were a number of reasons for the condition. The railroads, that is, the Union Pacific and the Northern Pacific were spanning the continent with their iron trails, and in consequence, the buffalo were vanishing, and the white man was everywhere over the face of the land. The annihilation of the buffalo meant pauperism or outright starvation to the Indian; the omnipresent settler meant servitude, slavery. Indeed, so inconsistent are we in our national policies, that hardly was the Civil war and the consequent emancipation of the negro won, when the same government which had accomplished this triumph of freedom; in fact, the same soldiers who had fought to bring it about, turned their attention to the enslavement of the native tribes of the American continent. The negro was an importation and an alien. The Indian was the aboriginal owner of the land. To free the one the nation fought and bled; to enslave the other the nation fought and bled also. We sometimes look far afield for the objects of our magnanimity. We warred for the oppressed Cubans in foreign lands while at home we were consummating that which many consider the latest injustice to the Indians. No less an author than Gen. Nelson A. Miles writes:

"As early as 1513 a decree of the Spanish council, issued by Ferdinand, 'justified the slavery of the Indians, as in accord with the laws of God and man.' It was claimed that 'otherwise they could not be reclaimed from idolatry and educated to Christianity.' They were sold into slavery in the colonies of Massachusetts, Rhode Island, Connecticut, Virginia, the Carolinas, and other parts of our country. They were hunted with hounds, kept at public expense in Connecticut, were shipped to France to serve in the galleys. In marked contrast to this was their intercourse with such men as Roger Williams and William Penn. Three hundred years of cruelty, bigotry, and cupidity of the white race, and two hundred years of warfare, had engendered an hostility and hatred that were inherent in both races. It was handed down from father to son,

through the generations, and became in our day as natural as it was universal. It was more intense with the Indians, as they were the unfortunate and subjugated people. Not only was their country overrun, but the vices and diseases brought among them by the white race were more destructive than war and swept whole tribes out of existence. Still they maintained a courage and fortitude that were heroic. In vain might we search history for the record of a people who contended as valiantly against a superior race, overwhelming in numbers, and defended their country, until finally driven toward the setting sun, a practically annihilated nation and race.

"The art of war among the white race is called strategy, or tactics; when practised by the Indians it is called treachery. They employed the art of deceiving, misleading, decoying, and surprising the enemy with great cleverness. The celerity and secrecy of their movements were never excelled by the warriors of any country. They had courage, skill, sagacity, endurance, fortitude, and self-sacrifice of a high order. They had rules of civility in their intercourse among themselves or with strangers and in their councils. Some of these we could copy to our advantage.

"With their enemies, they believed it right to take every advantage. If one of their own tribe committed a serious offense or crime, they believed it right for the victim to administer swift retribution and the whole tribe approved. Among their own tribe and people they had a code of honor which all respected. An Indian could leave his horse, blanket, saddle, or rifle at any place by night or day and it would not be disturbed, though the whole tribe might pass near. This could not be done in any community of white people."

In order to comprehend the conditions leading up to the Indian wars, which we shall presently discuss, it is necessary to consider some of the treaties of the United States with the nations who revolted against their rule.

In the light of subsequent events, first in importance among these treaties were the ones



INDIAN GROUP.

with the Sioux or Dakotas. The great Sioux nation was divided into the Sioux of the Plains and the Sioux of the Mississippi. In the year 1825 a council was held at Prairie du Chien, among the different tribes of the Sioux of the Mississippi and the United States. It was mutually agreed that all acts of hostility committed by either of the parties concerned against the other in the past be forgiven "and that perpetual peace and amnesty should thereafter exist between them." During the interim from 1830 to 1836 the Sioux ceded to the United States a portion of their territory in Iowa. In 1837 they ceded "all that portion lying east of the Mississippi river." Minnesota was organized as a territory in 1849. The immigrants who flocked there in overwhelming numbers were not content with their holdings to the east but also appropriated fertile lands to which they had no right on the western side of the river.

In 1851 the Sioux of the Plains, the northern branch of the nation, entered into their first treaty with the United States. The nomadic bands of which this unit of the nation was composed, hunted over the broad prairies north of the Platte river. They numbered about sixteen thousand. In this treaty, consummated at Fort Laramie, the Indians granted white immigrants the right of way through their country. This contemplated only wagon-trains, etc., and not railways, of which the Indians had no comprehension. Under this treaty the Sioux ceded to our government over thirty million acres, including all right, title and interest to their lands in Iowa, Dakota and Minnesota, saving one tract along the Upper Minnesota, which the Mississippi Sioux retained for their home and hunting ground. This tract extended from a point just below Fort Ridgeley and extended 150 miles to Lake Traverse, with a width of ten miles on either side of the river. In 1852 the senate graciously approved the treaty with the amendment added that the reservation should also be ceded and they (the Mississippi Sioux) be located on such land as the President might select.

The Indians agreed to the amendment. What else could they do? If they declined they were "hostiles" and subject to the persuasion of the Gatling gun. In this case the President failed to make a selection, the Indians were suffered to remain upon the reservation defined by the first treaties—the government acknowledged their right of occupancy and possession and in a treaty approved in 1860 bought from them "all of that portion of the tract on the north side of the river."

Meantime it must be admitted that the Sioux of the Plains kept faith with the government and respected the rights of the immigrants. The killing of a cow belonging to Mormons, by Indians, on August 17, 1854, was punished by an attack on an Indian village during which many Indians and all the troops under Lieutenant Grattan, were killed. General Harney in command of three regiments descended upon Little Thunder's band of Brulé Sioux, belonging to the Plains branch, and killed and wounded about one hundred. This was in September, 1855. It was doubtful if this particular group had been implicated in the fight with Grattan but it taught the Plains Sioux a terrible lesson which they did not soon forget.

The terms of the various treaties rankled in the breasts of the Mississippi Sioux. In each one they had been induced—or shall we say coerced—into giving up land which they wished to retain.

"The cession of their territory is necessarily enforced upon the Indians by the advance of the white race," writes L. V. D. Heard, the historian of the Sioux war in Minnesota. This is unquestionably true. The treaties with the Indians have been huge practical jokes. When we needed—or fancied we might need—their land, we went through the empty form of meeting them, promised much, paid little and took what we wanted. The Indians generally acquiesced, whatever were their sentiments, and oftentimes retired to plan bloody vengeance for the piratical usurpation of their ancestral domain. Thus in Minnesota the bitterest hostility was engendered out of which



grew the bloody war 1862. This was altogether the affair of the Mississippi Sioux but the finger of suspicion was pointed also at their tribal kindred, the Plains Sioux.

The result of that war was the expulsion of the tribe from Minnesota and their occupation of territory in Dakota and Montana where they, as interlopers, were opposed by the natives inhabiting those regions. We are already familiar with the expedition of General Sully which followed quickly upon the above described events. The Sioux were hard pressed. Driven first out of Minnesota, then from Dakota, they found themselves checked toward the south by the plentiful gold-seekers of Colorado. To the west, in Montana, they were barred. When the Union Pacific crossed the continent they were cut off in that direction. Their horizon was narrowing fast. When the Northern Pacific was projected certain Sioux chiefs sent word to the authorities that they would oppose the building of the road. This was, in a sense, a declaration of war.

In 1865 a special commission effected treaties with nine of the Sioux tribes, "including the remnants of the Mississippi bands." The commissioner stated: "These treaties were made and the Indians, in spite of the great suffering from cold and want of food endured during the very severe winter of 1865-66, and consequent temptation to plunder to procure the absolute necessities of life, faithfully kept the peace." The conference was held at Fort Sully and the treaty signed October 10, 1865. It was unsatisfactory in its results. The Indians were but poorly represented. The chiefs were stubborn and unfriendly and the sum total was a virtual recapitulation of the treaty of '51, in which the Indians promised to allow the building of roads through their country and to leave the trails unmolested.

By virtue of these treaties, which did not legally bind the Northern Sioux, the United States in 1865 and in 1866 began to construct roads into their dominion.

The discovery of gold in Idaho and Mon-

tana, both of which were isolated and apart from the great trans-continental trails, made it desirable to open more direct routes to the principal settlements. Accordingly a road to Fort Laramie was begun in 1865. This lay through the most cherished hunting ground of the Sioux. Red Cloud, the tribal leader, declined to permit the highway to be built and in this attitude he was supported by many of his people. In 1866, in spite of their avowed hostility, General Pope ordered Col. Henry B. Carrington to take command of the Mountain district, Department of the Platte, build and garrison forts, in order to protect the Powder River Road. Provided with a ridiculously inadequate force, constantly threatened by hostile Indians, he garrisoned Fort Reno and established posts on the Powder, Big Horn and Yellowstone rivers. Fort Philip Kearney and Fort C. L. Smith were founded in July and August. On December 21, 1866, Brevet Lieut-Col. W. J. Fetterman of Carrington's command having been sent out with a detachment of seventy-eight officers and men to relieve a wood train, which was attacked, recklessly disobeyed orders, and with every soldier was massacred near Fort Philip Kearney.

The horror of this catastrophe caused a furore in the east. Not a great while afterwards these beleaguered posts were abandoned which did much to convince the Sioux that they had gained an advantage and routed their enemies. The Cheyennes, thus emboldened, "swept through western Kansas like a devastating storm" in the autumn of 1866. General Sheridan, ably assisted by Col. George A. Forsyth and Col. George A. Custer, defeated them in hard fought battles and they, driven from the southwest, turned northward and allied themselves with the Sioux.

The eastern and western units of the Union and Central Pacific railways met May 10, 1869. The railroad was an accomplished reality. Its iron way lay through countless miles white with bones of the buffalo. These were signs of the times. A restlessness shook the barred and wandering tribes. They moved north only to find road builders at work through their

hunting grounds and a new and more northern railway being constructed at the end of guns.

The great Sioux nation was driven to bay.

The chiefs sent their ultimatum which was, if the road were continued westward they would fight.

During the foregoing period the main concern of the government had been to force the Indians to remain on such ever-lessening reservations as the caprice of the powers allotted to him. Once the military whipped him into line and placed him on his reservation he was under the charge of an Indian agent, who was supposed to look after his welfare, both moral and physical, and apportion to him the rations and other annuities allowed him. Many of the high-spirited old warriors refused to submit to this bondage. Thus Sitting Bull, in a memorable interview with Gen. Nelson A. Miles, said that "God Almighty had made him an Indian, but not an Agency Indian."

The Indians were in a sense under the joint control of the War Department and the Interior Department—though Gen. P. H. Sheridan in his official report says, "the Honorable Secretary of the Interior has exclusive control of Indian Affairs." This was true so long as the Indians remained on the reservations but the moment that they transgressed they were the subjects of the War Department and the military and during these turbulent times they generally transgressed. The two departments were on bad terms through this divided jurisdiction. The Interior Department accused the military authorities of precipitating rather than quelling hostilities. The War Department came back with the retort that the Interior Department furnished the Indians with firearms for hunting which they used for fighting instead, and thus indirectly it was responsible for much of the disturbances. But if the military sinned in being overzealous in their activity, their offense was slight compared with that of the grafting politician who in the person of agent represented the Interior Department on the reservations. It is not to be imagined that the successive

heads of the Interior Department and the Commissioners of Indian Affairs sought to cheat the Indian out of his rations and starve their wards in order to swell their own purses. Accusations of this kind were made, but if they did occur in sporadic cases, those cases were exceptions. The great fault lay in ignorance. Those who controlled Indian affairs knew no more of the Indians than they did of the inhabitants of Mars and very little more of the country in which they dwelt than of that celestial body. Bradley, who was then with General Gibbon, aptly described the remoteness of Montana as "a community in the heart of a desert with hundreds of miles of uninhabited wilderness stretching away on every side of it, dis severing it from the rest of the civilized world as completely as though it were on an island in mid-ocean."

This system of long-distance government was disastrous. The legitimate perquisites of the Indian agent were not sufficient to tempt the best type of American manhood, save in cases where a natural love of adventure and wild life made up for inadequate remuneration. As a result, this office, fraught with responsibilities of the gravest kind, was often given to men entirely ignorant of and indifferent to Indian character—men of the cunning type of politician who uses public office as a cloak for rapine and theft. The cleverest subterfuges were practiced to deceive the authorities in the east. Flour was placed in three or four different sacks and the sacks returned as evidence of the goods delivered. A herd of steers was run in and out of the corral several times and checked up as a separate herd each time. The result was that one sack of flour instead of three or four, as the case might be, and one beef steer instead of three or four, were delivered to the Indians. Other commodities were juggled with in like manner. The Indian agent and the contractor divided the profits. As the game was gone and all means of independent subsistence taken from the Indians, thousands of them died. Some of the greatest fortunes in Montana were built on the bones of starved Indians.

The rupture between the War and Interior Departments and the thievery of agents led to an unfortunate and undeserved embarrassment for General Custer, that may have had its influence upon his tragical end. Of this we shall speak later.

The Sioux and Cheyennes had become utterly obstreperous and desperate. They had besieged Fort Pease, a trading post, killing six and wounding eight white persons. The remainder of the party was rescued by troops from Fort Ellis, under Major Brisbin, on March 4, 1876.

General Sheridan in his report states: "Some of these bands had never accepted the reservation system, would not recognize the authority of the government, and insisted upon remaining wild and perfectly free from control. Of this class was 'Sitting Bull' (Tatonka-e-Yotanka, an Uncapapa Sioux), who was not a chief, but a 'head man' and whose immediate following did not exceed thirty or forty lodges \* \* \*

"Another chief or head man against whom military operations were contemplated was 'Crazy-Horse,' an Ogallala Sioux, properly belonging to Red Cloud Agency, whose band comprised perhaps a hundred and twenty lodges, numbering about two hundred warriors."

In the year 1876 the government determined to take aggressive measures to conquer them, and to this end three separate lines of attack were organized. The first of these, commanded by Gen. John Gibbon, advanced from Fort Ellis, Montana, where it had been assembled; the second, under Gen. George Crook, started from the south, and the third, led by Gen. Alfred H. Terry, proceeded into the field from Fort Yankton. With this last division was Custer's cavalry from Fort Abraham Lincoln. On June 21st Gibbon's command united with that of General Terry at the confluence of the Big Horn and the Yellowstone.

The territory to be covered by General Crook was that around the headwaters of Powder river, the Pumpkin Buttes, Tongue

river, Rosebud and Big Horn river, commonly haunted by Crazy-Horse and his band. Crook had marched northward over the Bozeman road by the old and abandoned ruins of historical Fort Kearney, to Tongue river, where he was reinforced by certain bands of Crows and Shoshones.

The first engagement of the campaign was fought by General Crook against Crazy-Horse in the valley of the Rosebud. The official account of this battle, from the report of General Sheridan, which is given below, diplomatic and guarded as the officer was; betrays something of the animosity between the military and the Interior Department:

"On June 17th Indians were discovered in large numbers on the Rosebud. General Crook's command of less than a thousand men was attacked with desperation, the fight lasting for several hours, when the Indians were driven several miles in confusion, a great many being killed and wounded in the retreat, though the extent of their losses could not be ascertained. Eleven dead Indians were found upon the field. The casualties to the troops were nine men killed, and fifteen wounded of the Third Cavalry, two men wounded of the Second Cavalry, and three men of the Fourth Infantry wounded, besides Capt. G. V. Henry, Third Cavalry, severely wounded. The scene of the attack was at the mouth of a deep and rocky cañon with steep, timbered sides, so at night-fall, encumbered with wounded and the troops without anything but what each man carried for himself, General Crook deemed it best to return to his supply camp, to await reinforcements and supplies, not considering it advisable to make another forward movement until additional troops reached him. From the strength of the hostiles who boldly attacked this large column, it now became apparent that not only Crazy-Horse and his small band had to be fought, but that the hostiles had been reinforced by large numbers of warriors from the agencies along the Missouri and from the Red Cloud and Spotted Tail agencies, located near the boundary line between Dakota and Ne-



braska; the Indian agents, if aware of them, having failed to inform the military of these wholesale departures. Such a movement from these agencies had been feared and in May authority had been asked allowing the military to exercise supervising control over these agencies, so as to keep in all who were present and keep out those who were then away and hostile, but this was not granted."

At the time that Custer went to battle no tidings of this desperate fight had been received. The commanding officers, including General Sheridan, estimated the Indians under arms in the field at about one thousand. Sheridan says in his report: "Up to the moment of Custer's attack no information was had, public or private, to justify the belief that there were in Sitting Bull's camp more than five hundred to eight hundred warriors."

But this Sitting Bull, Tatanka-e-Yotanka, had been cunning enough to outwit his white opponents, trained soldiers though they were. He personified all that was shrewd, treacherous, uncapitulating and cruel in the savage. General Miles describes him as a "man of powerful physique, with a large, broad head, strong features, and few words, which were uttered with great deliberation; a man evidently of decision and positive convictions." In the conversation that Sitting Bull had with General Miles he revealed his attitude. Miles writes: "He said there never was a white man who did not hate the Indian and there never was an Indian who did not hate the white man." Upon the occasion of this campaign he had planned well. This uprising was no sudden and impetuous thing. It had been long contemplated and provided for. Band after band had stolen away from the agencies and secretly joined the swelling legions of Tatanka-e-Yotanka until he had between four and five thousand braves. They were well armed with modern ammunition.

We must pause and look back to consider more particularly the gallant General Custer, who will be for all time a hero in American history.

Custer had served gallantly in the Civil war

and had also distinguished himself in the West by his victory over the Cheyennes under Black Kettle, in the battle of Washita. However, during the feud between the civil authorities governing the Indians and the military, Custer had been made a victim,—or, in the light of later events, one might almost say,—a martyr.

One of Grant's cabinet, Belknap, was found to be parcelling out Indian agencies to unscrupulous persons for profit. Grant was both chagrined and mortified at the exposure and the consequent scandal connected with his administration. Custer, who had formerly been high in the president's esteem, spoke freely of having seen in the hands of private individual sacks of grain bearing an agency brand. He was summoned from the front to Washington to testify before a congressional investigating committee. He called upon the President, who declined to receive him. This was just at the crucial time when every soldier of the western frontier was on the *qui vive*. Preparations were on foot for the great campaign against the Sioux,—that relentless fight to the death for possession of the land. Grant took advantage of this opportunity to publicly humiliate and punish Custer. He ordered the Secretary of War to forbid him to join his regiment which was then ready for duty on the Upper Missouri. Custer was cut to the quick. To a man of his proud spirit the shame of this order was insupportable. He wrote to the President.

"Headquarters Department of Dakota,

"Saint Paul, Minn., May 6th, 1876.

"Adjutant General,

"Division of Missouri, Chicago.

"I forward the following:

"To His Excellency The President (through Military Channels):

"I have seen your order, transmitted through the general of the army, directing that I be not permitted to accompany the expedition about to move against hostile Indians. As my entire regiment forms a part of the proposed expedition, and as I am the senior of-

ficer of the regiment on duty in this department, I respectfully but most earnestly request that while not allowed to go in command of the expedition, I may be permitted to serve with my regiment in the field.

"I appeal to you as a soldier to spare me the humiliation of seeing my regiment march to meet the enemy, and I not to share its dangers.

(Signed) G. A. Custer,  
"Bvt. Maj. Genl. U. S. Army."

General Terry added to this appeal:

"In forwarding the above, I wish to say expressly, that I have no desire whatever to question the orders of the President, or of my military superiors. Whether Lieut. Col. Custer shall be permitted to accompany my column or not, I shall go in command of it.

"I do not know the reasons upon which the orders already given rest; but if those reasons do not forbid it, Lieut. Col. Custer's services would be very valuable with his command.

(Signed) Terry,  
"Commanding Department."

The result of this appeal was that Custer was permitted to lead his regiment. There can be but little doubt that he went into battle with the reckless determination to achieve a brilliant victory and redeem himself in the eyes of those who had unjustly criticised him. He employed the same tactics that had succeeded so well at Washita, and as he and his command galloped into action, waving their hats and cheering Reno's detachment which was already under fire, Custer had desperately resolved to ride to victory or death. His instructions from General Terry gave him the widest latitude in the plan of operations. The latter wrote: "It is of course impossible to give you any definite instructions in regard to this movement, and were it not impossible to do so, the general commanding places too much confidence in your zeal, energy and ability to wish to impose upon you precise orders which might hamper your action when nearly in contact with the enemy."

This battle is fascinating in its mystery.

Not one of Custer's men lived to tell the tale. The mute and bloody evidence of the battle-field, and finally, the accounts of Indians engaged in the struggle is all that we know of what happened on that fatal day. Any event of importance which gives the imagination free play claims perpetual interest, and in this respect the battle of Little Big Horn holds a place unique in our history. There has been much argument and difference of opinion concerning many particulars of the fight, so we shall consider the report of Gen. P. H. Sheridan, certain portions of the story of Major E. S. Godfrey, historian of the battle, whose information was obtained from Sioux leaders, and the account of Gen. Nelson A. Miles gleaned from observations of the battle-field and conversations with reliable Sioux and Cheyennes. But before we proceed to the consideration of these different narratives, it must be stated that a Cheyenne who fought in the battle, said that the Indians knew perfectly of the enmity of Reno for Custer and that in consequence there would not likely be concerted action by the troops. General Sheridan wrote in his official report:

"General Terry was now satisfied as to the location of the Indians, and at a conference between himself, Colonels Gibbon and Custer, on June 21st, he communicated the following plan of operations: Gibbon's column was to cross the Yellowstone, near the mouth of the Big Horn, march for the mouth of the Little Big Horn and thence up the latter, with the understanding that it would arrive at the last named point by June 26th. Custer, with the whole of the 7th Cavalry, should proceed up the Rosebud until he ascertained the direction taken by the trail found by Reno; if this led to the Little Big Horn, it should not be followed, but Custer should keep still further to the south, before turning toward the river, in order to intercept the Indians, should they attempt to slip between him and the mountains, and also in order, by a longer march, to give time for Colonel Gibbon's column to come up.

"This plan was founded on the belief that,

at some point on the Little Big Horn, a body of hostiles would be found, though it was impossible to arrange movements in perfect concert, as might be done were there a known fixed objective point. It was believed impracticable to unite both Gibbon's and Custer's forces, because more than half of those of Gibbon were infantry, who could not keep up with the rapid movement of cavalry; whilst taking away the mounted troops from Gibbon, to unite with those of Custer, would leave Gibbon's infantry too weak a force to act independently.

"Under directions, then, to carry out his part of the foregoing plan, to also examine the upper part of Tullock's Fork and endeavor to send a scout through with the information thus obtained, to Gibbon's column, which was to examine the lower part of that fork, Custer started up the Rosebud on June 22d, and Gibbon's command, personally accompanied by General Terry, moved the same day for the mouth of the Big Horn. A supply steamer was to push up the Big Horn as far as the forks, if found navigable for that distance, and Custer, at the expiration of the time for which his troops were rationed, was to report to General Terry there, unless in the meantime other orders should be received.

"In accordance with this plan, all of Gibbon's column reached and crossed Tullock's creek, on the afternoon of June 24th.

"On the afternoon of June 22d, Custer's column marched up the Rosebud twelve miles and there encamped. The next day, June 23d, he continued up the Rosebud thirty-three miles, passing a heavy lodge pole trail, though not very fresh. June 24th, the advance was continued up the Rosebud, the trail and signs constantly growing fresher, until the column had marched twenty-eight miles, when camp was made. At eleven o'clock that night, the column was again put in motion, turning from the Rosebud to the right up one of its branches which headed near the summit of the 'divide' between the Rosebud and the Little Big Horn. About two o'clock in the morning of June 25th, the column halted for about three hours,

made coffee and then resumed the march, crossed the divide, and by eight o'clock were in the valley of one of the branches of the Little Big Horn. By this time Indians had been seen, and as it was certain they could not now be surprised, it was determined to attack them.

"Custer took personal command of Troops 'C', 'E', 'F', 'I', and 'L'; Major Reno was given Troops 'A', 'G', and 'M'; Captain Benteen, Troops 'H', 'D', and 'K'. Captain McDougall with Troop 'B', acted as guard to the pack train.

"The valley of the creek was followed towards the Little Big Horn. Custer on the right of the creek, Reno on the left of it, Benteen off still further to the left and not in sight. About eleven o'clock Reno's troops crossed the creek to Custer's column and remained with him until about half-past twelve o'clock, when it was reported that the village was only two miles ahead and running away.

"Reno was now directed to move forward at as rapid a gait as he thought prudent, and to charge, with the understanding Custer would support him. The troops, under Reno moved at a fast trot for about two miles, when they came to the river, crossed it, halted a few minutes to collect the men and then deployed. A charge was made down the river, driving the Indians rapidly for about two miles and a half, until near the village which was still there. Not seeing anything, however, of the subdivisions under Custer and Benteen, and the Indians swarming upon him from all directions, Reno took position, dismounted, in the edge of some timber which afforded shelter for the horses of his command, continuing the fight on foot until it became apparent he would soon be overcome by the superior numbers of the Indians. He then mounted his troops, charged through the Indians, re-crossed the river and gained the bluffs upon the opposite side. In this charge, First Lieut. Donald McIntosh and Second Lieut. Benjamin H. Hodgson, 7th Cavalry, with Acting Assistant Surgeon J. M. DeWolf, were killed.

"Reno's force succeeded in reaching the top



of the bluff, with a loss of three officers and twenty-nine enlisted men killed, and seven men wounded. Almost at the same time Reno's troops reached these bluffs, Benteen's battalion came up and a little later, the pack train, with McDougall's troop escorting it. These three detachments were all united under Reno's command and numbered about three hundred and eighty-one men, in addition to officers.

"Meanwhile nothing had been heard from Custer, so the re-united detachments under Reno moved down the river, keeping along the bluffs on the opposite side from the village. Firing had been heard from that direction, but after moving to the highest point without seeing or hearing anything of Custer, Reno sent Captain Weir with his troop to try to open communication with the former. Weir soon sent back word that he could go no further and that the Indians were getting around him, at the same time keeping up a heavy fire from his skirmish line. Reno then turned everything back to the first position he had taken on the bluffs, which seemed the best for a defense, had the horses and mules driven into a depression, put his men, dismounted, on the crests of the hills making the depression, and had hardly completed these dispositions when the Indians attacked him furiously.

"This was now about six o'clock in the evening and the ground was held with a further loss of eighteen killed and forty-six wounded, until the attack ceased about nine o'clock at night.

"By this time the overwhelming numbers of the enemy rendered it improbable that the troops under Custer could undertake to re-join those with Reno, so the latter began to dig rifle-pits, barricaded with dead horses and mules and boxes from the packs, to prepare for any further attack which might be made the next day. All night long the men kept working, while the Indians were holding a scalp dance, within their hearing, in the valley of the Little Big Horn.

"About half-past two o'clock in the morning, of June 26th, a most terrific rifle-fire was

opened upon Reno's position and, as daylight increased, hordes of Indians were seen taking station upon high points completely surrounding the troops, so that men were struck on opposite sides of the lines from where the shots were fired. The fire did not slacken until half-past nine o'clock in the morning, when the Indians made a desperate charge upon the line held by troops 'H,' and 'M,' coming to such close quarters as to touch with a 'Coup-stick,' a man lying dead within the lines. This onslaught was repulsed by a charge from the line assaulted, led by Colonel Benteen.

"The Indians also charged close enough to send their arrows into the line held by troops 'D,' and 'K,' but they were driven back by a counter-charge of those troops, accompanied in person by Reno.

"There were now many wounded and the question of obtaining water was a vital one, for the troops had been without any from six o'clock the previous evening, a period of about sixteen hours. A skirmish line was formed under Benteen, to protect the descent of volunteers down the hill in front of the position to reach the water. A little was obtained in canteens, but many of the men were struck in securing the precious fluid.

"The fury of the attack was now over and the Indians were seen going off in parties to the village. Two solutions occurred, either that the Indians were going for something to eat and more ammunition, as they had been shooting arrows, or else that Custer was coming. Advantage was taken of this lull to rush down to the stream and fill all vessels possible with water, but the Indians continued to withdraw and firing ceased, excepting occasional shots from sharp-shooters sent to annoy the soldiers near the water. About two o'clock in the afternoon, the grass in the bottom was extensively fired by the Indians and behind the dense smoke thus created, the Indian village began to move away.

"Between six and seven o'clock in the evening, the village came out from behind this cloud of smoke and dust, the troops obtaining

a full view of the cavalcade, as it filed away in the direction of the Big Horn mountains, moving in almost military order.

"All thoughts were now turned towards Custer, of whom nothing had been seen or heard since he gave his orders on the previous day for the first advance by the detachments under Reno and Benteen, and which orders contemplated the support of these by the force retained under Custer's personal command. No one dreamed of the real explanation of Custer's absence, and the impression was that this heavy force of Indians had gotten between him and the rest, forcing him towards the mouth of the Little Big Horn, from which direction the column under Gibbon, with General Terry, was expected.

"During the night of June 26th, the troops under Reno changed position so as to better secure a supply of water and to prepare against another assault, should the warriors return in strong force, but early in the morning of the 27th, while preparing to resist any attack which might be attempted, the dust of a moving column was seen approaching in the distance. Soon it was discovered to be troops who were coming and in a little while a scout arrived with a note from General Terry to Custer, saying that some Crow scouts had come to camp stating that Custer had been whipped, but that their story was not believed. About half-past ten o'clock in the morning General Terry rode into Reno's lines and the fate of Custer was ascertained.

"Precisely what was done by Custer's immediate command, subsequent to the moment when the rest of the regiment last saw them alive, has remained partly a matter of conjecture, no officer or soldier who rode with him into the valley of the Little Big Horn, having lived to tell the tale. The only real evidence of how they came to meet their fate, was the testimony of the field where it overtook them. What was read upon the ground, as from an open page, was described in the official report of General Terry who came up with Gibbon's column.

"Custers trail, from the point where Reno

crossed the stream, passed along and in rear of the crest of the bluffs on the right bank, for nearly or quite three miles. Then it came down to the bank of the river but at once diverged from it again, as though Custer had unsuccessfully attempted to cross; then turning upon itself and almost completing a circle, the trail ceased. It was marked by the remains of officers and men and the bodies of horses, some of them dotted along the path, others heaped in ravines and upon knolls where halts appeared to have been made. There was abundant evidence that a gallant resistance had been offered by Custer's troops, but that they were beset on all sides by overpowering numbers.

"The officers known to have been killed were General Custer, Captains Keogh, Yates and Custer, Lieutenants Cooke, Smith, McIntosh, Calhoun, Porter, Hodgson, Sturgis and Reilly, of the 7th Cavalry, Lieutenant Crittenden of the 20th Infantry, and Acting Assistant Surgeon DeWolf; Lieutenant Harrington of the cavalry and Assistant Surgeon Lord were missing. Mr. Boston Custer, a brother, and Mr. Reed, a nephew of General Custer, were with him and were killed. Captain Benteen and Lieutenant Varnum of the cavalry and fifty-one men were wounded."

Major E. S. Godfrey, Seventh U. S. Cavalry, who commanded a troop of Benteen's Battalion, has written a just and unprejudiced account of the battle. He states:

"At the time of the discovery of Custer's advance to attack, the chiefs gave orders for the village to move, to break up. At the time of Reno's retreat this order was being carried out, but as soon as Reno's retreat was assured, the order was countermanded and the squaws were compelled to return with the pony herds: the order would not have been countermanded had Reno's forces remained fighting in the bottom. Custer's attack did not begin until after Reno had, in retreat, reached the bluffs,

\* \* \* All the Indians withdrew from further attack on Reno soon after Benteen's battalion joined Reno's, viz.: a little after 2:30 o'clock P. M. \* \* \* During a long time

after the junction of Reno and Benteen, we heard firing down the valley in the direction of Custer's command. The conviction was expressed, 'that our command ought to be doing something or Custer would be after Reno with a sharp stick.' We heard two distinct volleys, which excited some surprise. I have but little doubt now that these volleys were fired by Custer's orders as signals of distress and to indicate where he was."

Godfrey describes the fight as follows:

"Not long after the Indians began to show a strong force in Custer's front, Custer turned his column to the left, and advanced in the direction of the village to near a place now marked by a spring, halted at the junction of two ravines, just below it, and dismounted two troops, Keogh's and Calhoun's, to fight on foot. These two troops advanced at double time to a knoll now marked by Lieutenant Crittenden's monument. The other three troops, mounted, followed them a short distance in their rear. The led horses remained where the troops dismounted. When Keogh and Calhoun got to the knoll, the other troops marched rapidly to the right. Smith's troop (the gray horse troop), deployed as skirmishers, mounted, and took position on a ridge, which on Smith's left ended in Keogh's position (now marked by Crittenden's monument), and, on Smith's right, ended at the hill on which General Custer took position with Yates' and Tom Custer's troops, now known as Custer's Hill, and marked by the monument erected to the command. Smith's skirmishers, troop E, holding their gray horses, remained in groups of fours. They died for the most part on this, their line of battle.

"The line occupied by Custer's battalion was the first considerable ridge back from the river, the nearest point being about half a mile from it. His front was extended about three-fourths of a mile. The whole village was now in full view. A few hundred yards from his line was another, but lower, ridge, the further slope of which was not commanded by his line. It was here that the Indians under

Crazy-Horse, from the lower part of the village, among whom were the Cheyennes, formed for the charge on Custer's Hill. All Indians had now left Reno. Chief Gall collected his warriors and moved up a ravine south of Keogh and Calhoun. As they were turning this flank they discovered the led horses without any other guard than the horse holders, one man out of each four holding four horses. They opened fire on the horse holders, and used the usual devices to stampede the horses—that is, yelling, waving blankets, etc. In this they succeeded very soon, and the horses were caught up by the squaws. In this disaster Keogh and Calhoun probably lost their reserve ammunition, which was carried in the saddle-bags. Gall's warriors now moved to the foot of the knoll held by Calhoun. A large force dismounted and advanced up the slope far enough to be able to see the soldiers when standing erect, but were protected when squatting or lying down. By jumping up and firing quickly they exposed themselves only for an instant, but drew the fire of the soldiers, causing a waste of ammunition. In the meantime, Chief Gall was massing his mounted warriors under the protection of the slope. When everything was in readiness, at a signal from Gall the dismounted rose, fired, and every Indian gave voice to the war whoop; the mounted Indians put whip to their ponies, and the whole mass rushed upon and crushed Calhoun. The maddened mass of Indians was carried forward by its own momentum over Calhoun and Crittenden, down into the depression where Keogh was, with over thirty men, and all was over on that part of the field.

"In the meantime the same tactics were being pursued and executed around Custer's Hill. The warriors under the leadership of Crazy-Horse, Crow-King, White-Bull, Hump, and others, moved up the ravine west of Custer's Hill, and concentrated under the shelter of the ridges on his right flank and back of his position. Gall's bloody work was finished before the annihilation of Custer was accomplished, and his victorious warriors hurried



forward to the hot encounter then going on, and the frightful massacre was completed."

Godfrey gives these three reasons in summing up Custer's defeat:

"1. The defective extraction of the empty cartridge shells from the carbines of the soldiers.

"2. Overpowering numbers of the enemy and their concentration on Custer.

"3. Major Reno's panic rout with his battalion from the valley of the Little Big Horn."

General Nelson A. Miles writes this story of the battle of the Little Big Horn:

"From the Crow encampment we journeyed up the Little Big Horn to the Custer Battle-

tle was very vague, for of the two hundred and sixty-two officers and soldiers who fought under Custer not one lived to tell the story. All that was known to the other troops in the field was the orders given and the actions of Custer and his men while they were with them, and the impressions and surmises made from the evidences of the field, as well as the position of the dead bodies after the battle.

"Unfortunately, in that campaign the government authorities greatly underestimated the strength of the hostile Indians. They had little knowledge of the character of the country, and sent weak exterior columns, five hundred miles apart, into the field without con-



THE CUSTER BATTLEFIELD AS IT IS TODAY.

field. On this visit, just two years after the battle occurred, I was accompanied by a body of twenty-five of the principal chiefs and head warriors of the Sioux and Cheyenne tribes, who had all been prominently engaged in the battle, and later had surrendered to me. During the time they were under my control they had become reconciled and reliable. They had proved their loyalty by valuable military services in the campaign against hostile Indians.

"What the Indians did at the Little Big Horn, or the Custer Massacre, as it was called, and how the battle was fought on their side, was perfectly familiar to them. What our government and people knew concerning the bat-

cert against a superior body. The commands from the East and West united on the Yellowstone at the mouth of the Rosebud, under General Terry. He even then divided his force, sending General Custer with the Seventh Cavalry south and west, while the remainder he moved on the north side of the Yellowstone west and then south. Evidently his object was to inclose the Indians, but he placed at least fifty miles of rough country and an impassable river between the two columns, necessitating the giving of discretionary authority to the commander of the column thus isolated and moving into a country known to be occupied by a powerful body of Indians. General Cus-

ter had often been unjustly accused of disobedience of orders. The order referred to is in the nature of a letter of instruction, and not a positive order. \* \* \*

"The first day General Custer marched twelve miles, and in four days he moved one hundred and eight miles, ten of which were to conceal his command. He frequently called his officers together and urged them to act in harmony and not become separated. He said he did not expect to fight until the 26th. He scouted the country, saw Indians in the distance, and knowing his command would be discovered and fearing the Indians would escape, he decided to attack on the 25th. He formed his command for action in three parallel columns, within deploying and supporting distance; moving with the right column himself, Major Reno, commanding the center, following the Indian trail, and Captain Benteen on the left. He rode forward to a high bluff. Discovering the location of the camp just before going into action, he sent an order to Benteen, directing the left column to alter its course, which would have changed the formation and brought his command into the center instead of on the left. The order was, 'Come on. Big village. Be quick. Bring packs. P. S. Bring packs.' (The packs contained the reserve ammunition.) The courier who carried this order was the best guide as to where the command should have gone. Custer waved his hat to Reno's troops as they were going into action and were the first to become engaged. With trifling loss Reno abandoned a very strong position and retreated in a demoralized condition. Benteen, moving slowly in the direction of Custer, stopped to rally Reno's troops, and the two commands remained there, out of action, although for hours they heard the firing, and at one time volley-firing, a signal for help. The Indians left them to go down and fight Custer. After repeated appeals to Reno, two loyal and gallant officers, Weir and Edgerly, did move out far enough to discover a great commotion, dust and smoke in the valley below, where the fight was going on. A reconnoitering force is not expected,

after having discovered or developed the enemy, to attack, but reports facts to the main force. At one time a brave scout, Herendeen, with thirteen soldiers, marched out from the timber in the strong position first occupied by Reno's troops, walked across the plains, forded the river and rejoined Reno's command on the hill.

"There two movements proved positively that there were no Indians around Reno and Benteen while Custer was being overwhelmed. After he, with five troops, had been defeated and annihilated, the Indians, with their captured arms and ammunition, went to fight the seven troops under Reno and Benteen, and were repulsed. It is not necessary to describe the battle, but it may be well to record the information gained at that early date from the prominent Indians who were conspicuous in the battle and knew perfectly well how it was fought. They said they were celebrating their victory over General Crook and sleeping very late that morning. When Reno's troops fired into their village the Uncapapas and Ogalallas rushed for their arms and war ponies, fought Reno, and chased his command 'like buffalo' across the plains, over the river and up the bluff. Just at that time the alarm passed among the Indians that another command (Custer's) was attacking their village. The two tribes then withdrew, and without recrossing the river, passed down along the right bank of the Little Big Horn and massed opposite to the left of Custer's troops. The Minneconjoux and Sans Arcs had crossed the river and were fighting Custer's troops back and forth. The Cheyennes had moved up the valley against Reno's attack without becoming engaged, but when the alarm of Custer's attack was given they retraced their steps, moving down the left bank of the Little Big Horn, and, fording the river, took position behind a ridge near the right flank of Custer's line. The Uncapapas and Ogalallas then charged his left flank, rolling up his line from left to right. When that point was reached the soldiers killed some of their horses for defense and let

loose the remainder. The Cheyennes said they secured most of these. The fight continued, and when the Indians had killed all except forty those who remained rushed in a forlorn hope for the timber along the Little Big Horn. All were killed before they reached the river. This accounts for the line of dead bodies on that part of the field on which no dead horses were found. The Indians said that they would have fled if Reno's troops had not retreated, for the troops could not have been dislodged. They also said that, when they left to attack Custer, had the seven companies under Reno and Benteen followed them down and fired into their backs they would have been between two fires and would have had to retreat. Thus the battle was twice lost. We walked our horses over the ground from Reno's last position to the extreme right of Custer's line, and were fifty-six minutes by the watch. Had Reno's command walked half that distance it would have been in action. Moving at a smart trot or gallop, as cavalry go into action, it could have attacked the Indians in the rear easily in fifteen or twenty minutes. Custer had commanded large bodies of troops successfully in many desperate battles. How his strong heart must have felt when he saw from the ridge a part of his own regiment running from the field and when the major part of his command failed to come into action. His flag went down in disaster, but with honor. The greatest military genius could not win victories with five-twelfths of his command, when seven-twelfths remained away. Had Grouchy marched to the sound of the guns instead of Blucher the story of Waterloo would have been written differently. Custer had devoted friends and bitter enemies. His brothers and strongest friends died with him, while his enemies lived to criticise and cast odium upon his name and fame; but it is easy to kick a dead lion. It would be simple charity to throw the mantle of silence over the words and actions of those who have been his severest assailants.

"The nation lost many heroic men and an able, fearless commander. Fortunately, Cus-

ter left one earnest, noble champion, who, with gentle voice and graphic pen, has for more than thirty years been his constant defender; and his monuments in imperishable bronze evidence her sacred devotion."

From these various accounts of the battle of the Little Big Horn we may draw our own conclusions, but there is no room to doubt Custer's devotion to duty, his sincerity of purpose and the heroism of his death in the service of his country. This was the last great stand of the Sioux.

There were several lesser engagements before the campaign was won. Gen. Wesley Merritt, in command of the Fifth Cavalry, hastening to reinforce Crook, was advised that a powerful band of Cheyennes had fled from their reservation at Red Cloud Agency, and were on their way to join the victorious Sioux. They were driven back to the reservation without resistance.

General Crook fought and defeated American Horse during the winter near Slim Buttes. This resulted in the surrender of the different bands under that leader.

General Nelson A. Miles concentrated his forces opposite the mouth of Tongue river close by the modern site of Miles City, where he had built a cantonment,—Fort Keogh. He wintered there with his command. In the bitter cold, through the deep snow, often with the temperature at zero or below, Miles relentlessly pushed his campaign. He sent out detachment after detachment to rout the Indians who had taken refuge there, were unrecesses of the Tongue River valley. The Indians who had taken refuge there were under the leadership of Crazy-Horse. This winter warfare was new to the Indians. They fought long and well but the merciless destruction of their camps and supplies struck at their very vitals. Suffering from cold and starvation they submitted to the inevitable, straggled in and surrendered.

In May of the next year the band of Lame Deer, camped on a tributary of the Rosebud, was attacked. The camp was destroyed, some



of the best warriors killed and all of the horses captured.

Sitting Bull and his followers were the only ones who declined to capitulate. Under him they fled the country and took refuge in Canada.

Scarcely were the Sioux subjugated when tidings came of the uprising of the Nez Percés in Idaho. From the days of Lewis and Clark they had been a peaceable and superior people, praised by the explorers, Father DeSmet and all those who had come in contact with them. They had been consistently friendly with the whites until this insurrection, when they considered that their ancestral rights had been violated and usurped. They had dwelt from time immemorial in the valleys of the Snake, Salmon, Clearwater and Wallowa, in Washington, Oregon and Idaho.

The lands of the Nez Percés were fertile and desirable. Commissioners were appointed by the government and sent to "define the rights of the Indians" and in consequence a treaty was negotiated with certain chiefs and leading men in 1853, fixing the boundary lines of their reservation and ceding to the government land which was coveted by settlers.

Ten years later, in 1863, a second treaty was entered into and again in 1868 yet another was arranged. Each time, of course, the Indians relinquished some of their country, the last time the Wallowa valley. This treaty was not participated in, signed nor countenanced by the noblest and best of the nation. It cannot be too strongly urged that in our dealings with the Indians we too often took for granted in chiefs a power which they did not possess. They were not without their political factions and consequent jealousies, their desire for prestige among their own and vanity which caused them to seek recognition from the dominant race. Thus it often happened that men who did not have the sympathy or support of their tribe entered into agreements with the white men which they could not afterwards fulfill. This seems to have been precisely the case with the Nez Percés. A group of chiefs assuming authority sought to bind

their nation to certain concessions to which it would not submit. Therefore when they returned to the tribe and reported what had been done the people rebelled.

Chief among the dissenters was Joseph, a royal-blooded Indian, the noblest of his kind. The Wallowa valley was the home of his childhood; of his father and mother; of their ancestry for generations, and he would relinquish it,—never!

He said in council:

"A man who would not love the ground of his father and mother is worse than a beast."

The Indians were given one year to vacate the Wallowa valley.

During this time the following of Joseph grew. The veteran chief Looking-Glass, White Bird, To-hul-hul-Sote, with their allies, joined him. This defiant faction became known as the "Non-treaty Nez Percés."

In 1871 a few venturesome whites took up lands and settled in the Wallowa valley. Joseph protested against this, ordered them away and vowed he would go on the war-path if they remained. Others and yet others came in the years following and the Indians began to commit petty depredations. President Grant, who seems to have been uniformly unfortunate in his policy with the Indians, issued an executive order in 1875 proclaiming the Wallowa valley "a part of the public domain" and therefore open to white settlers.

Thus, as spring approached and with it wagon trains of peaceful invaders came, Joseph knew that the hour was come when he must strike or forever relinquish his birth-right,—the land that he loved. He therefore issued an ultimatum that if the white interlopers did not at once leave his country he would fight. They remained. Some sporadic acts of violence were perpetrated by the young men. The settlers requested military protection, and, in response, a company or troop of cavalry was sent. This move on the part of the government added fuel to the flames. General Howard, commander of the Department of the Columbia, hurried to Idaho, where he and the agent tried in vain to argue the

non-treaty Indians into the belief that the Wallowa valley was a legitimate possession of the government of the United States, that the settlers there would be protected by the army and the army would force Joseph and his followers to go to the reservation set aside for them.

Before a month had passed White Bird's band had killed some of the Wallowa valley settlers. That chief rode boldly through the land proclaiming aloud that the Indians refused to go on the reservation; that they were on the war-path and would deal with the white men as foes.

General Howard dispatched two troops of cavalry to capture the offending and belligerent Indians, and if it were possible, to bring them in. The soldiers came upon the Indians in White Bird cañon. A battle lasting one hour ensued, after which the soldiers were driven back. They retreated for sixteen miles to Grangeville, the Indians pursuing them and engaging them in a running fight for the entire distance. Thirty-three enlisted men and one officer were killed. Twenty white men and women had been attacked and killed by Nez Percés near Mount Idaho. This rebellion was the beginning of a formidable war.

General Howard took personal command of the troops, determined to capture the offenders and march the entire tribe to the reservation. Detachments of soldiers were sent out in different directions where the Indians were supposed to be in force, and ordered to "strike them wherever they were found." As a result there were numerous skirmishes and two battles about the Clearwater river. Neither race appears to have gained any advantage at this time.

In Joseph's band there were only about 400 warriors, together with 150 women and children. With excellent forethought, Joseph divided this force into several small parties that could more easily escape the vigilance of the soldiers who were scouring the country. These little parties met and concentrated on Weyipe creek, whence they started *en masse* for the buffalo country to the east of the main

range of the Rocky mountains over the old Lo Lo trail.

The trail led them to the Bitter Root valley, the home of the Selish or Flatheads, which likewise was partly occupied by the whites, who, in this instance, had been welcomed by the natives.

As soon as Joseph's movements were known, General Howard sent couriers to the nearest telegraph station to wire General Gibbon, commander of the district of Montana, who was then at Fort Shaw, requesting that he order troops into the field to intercept the Indians. He, in the meantime, was to follow on their trail.

The result was that Capt. C. C. Rawn, who was in command at Fort Missoula, was ordered to watch for the Nez Percés, head them off, capture them or force them to retreat.

Rawn's scouts, sent out to make a reconnaissance, met on the divide, failed to find a trace of Indians, returned and reported the fact and the garrison believed that they had repented of their bold advance and retreated, or else proceeded over a different trail.

In a few hours two runners arrived with messages from Joseph to Captain Rawn and the white citizens of the Bitter Root valley, stating that he and his column were approaching over the Lo Lo Pass; that they desired to proceed peaceably through the valley on their way "to buffalo;" that if they were allowed to go on unmolested they would harm no one.

The runners were placed under arrest and held until the end of the war.

This alarm spread over the valley and panic reigned. In Rawn's command there were but two companies, his own and that of Capt. William Logan. Twenty men were left to guard the post and Captain Rawn with the remainder,—about fifty soldiers, reinforced by one hundred civilian volunteers, marched up to Lo Lo creek. They halted at the mouth of the cañon and constructed a barricade of trees to blockade the entrance to the valley and to afford protection to themselves.

Next day Joseph appeared, dispatched a courier, bearing a flag of truce, to Rawn's ranks, asking once more that he be suffered to pass through the valley. Rawn replied that the Indians could not advance unless every warrior surrendered his arms. Joseph refused. For two days the white and red men confronted each other and finally on the evening of the second day Chief Joseph informed Rawn that when the next morning dawned he should march through the valley. Meantime an incident had happened which is not generally recorded by historians. The Selish were masters of the Bitter Root valley and at their head was a great and good man,—Charlot. He and Joseph were friends. Their people had hunted together and many of them had inter-married. On one point these chiefs did not agree and that point was the Indians' attitude towards the white settlers. Joseph had opposed them as foes, knowing that the man with the plough is more formidable than the one with the sword. Charlot had welcomed the strangers within his gates that were mountains, and shared with them the acres of his beloved valley. With paternal solicitude he had protected his wards and even now at this crisis he determined to defend them. They were quite helpless. Rawn's command was too weak to do execution. Joseph might have crossed the valley leaving in his wake a trail of fire and blood.

Charlot and his warriors rode out to the Lo Lo Pass and met Joseph there. Around his right arm was tied a white handkerchief in token of truce. When the two chiefs faced each other on the summit of the divide Charlot spoke, slowly, defiantly, as one who had made a decision that costs much, yet is irrevocable. He said:

"Joseph, I have something to say to you. It will be in a few words.

"You know I am not afraid of you.

"You know I can whip you.

"If you are going through the valley you must not hurt any of the whites. If you do you will have me and my people to fight.

"You may camp at my place tonight but tomorrow you must pass on."

And what was the reward of Charlot, who saved the settlers of the Bitter Root? What did the grateful nation do for him? It did precisely that which it had done for Joseph,—drove him out of the valley of his fathers and by a treaty which he swore he never signed, took from him his heritage. It did more and worse than this; it refused to acknowledge him as head chief, hereditary ruler of his people, denied him the pension to which he was entitled and reduced him to a pauper. This was Charlot's recompense. A shaft of stone should be erected to his memory on the Lo Lo Pass but there is no monument to immortalize his heroic deed. He rests in the little graveyard at Jocko whither he was driven. His grave is a tangle of wild grass and weeds and it is marked by rude posts of lodge pole pine. Thus fickle and uncertain are the rewards of great men.

The morning after Joseph's message to Captain Rawn, shots were heard on the skirmish line. A scattering fire continued for some time, when it was discovered that Joseph's band was gone. By a clever strategy the chief had engaged the attention of the soldiers by having a small party of his braves appear to begin an attack, while he and his band moved triumphantly but peacefully across the Bitter Root valley.

General Gibbon summoned all available troops from Fort Benton and Camp Baker and with such as could be spared from Fort Shaw, took personal command and hurried west towards Fort Missoula, crossing the Rocky mountains over Cadotte's Pass. He arrived at Fort Missoula on August 3rd, and the next day, reinforced by Rawn's little garrison and one company from Fort Ellis, he started in pursuit of Chief Joseph. He had a total of seventeen officers and one hundred and forty-six men. A wagon train accompanied the troops.

Joseph left Lo Lo cañon and started on his march up the Bitter Root on July 28th. He proceeded leisurely, being assured that How-



ard was far behind, Rawn's force too weak to dare pursuit and not knowing that Gibbon had been advised by wire of his movements.

The settlers in the Bitter Root were for the most part friendly to Joseph and they provided his men with food, horses and sometimes ammunition. For many years he and his band had traversed the valley going to and from their spring and autumn buffalo hunts and there is no record that during that long period the defenseless whites ever suffered at their hands.

In the Bitter Root Joseph was joined by eighteen lodges under chief "Poker Joe."

White Bird urged haste in the dash for the buffalo country but Looking-Glass, ever proud and over-confident, scorned to listen to his counsel. This was the fatal mistake. Gibbon, pushing on with all possible speed, ascertained that he was equalling two of their daily marches with one of his, so it would be an easy matter to overtake them. He had been reinforced by thirty-six civilians.

Gallant Lieutenant Bradley, he who during the Sioux war was first to discover Sitting Bull's camp and first to look upon the mutilated remains of Custer's command, was sent with eight enlisted men of the Second Cavalry and the mounted volunteers to go on ahead, if possible reach Joseph's camp before dawn of the following day and endeavor to stampede and drive away the horses; thus making impossible the rapid advance of the Indians. Lieut. J. W. Jacobs accompanied Bradley and under these officers was a force of sixty men. They made a secret night march over the mountains, the main command camping at the foot of the range. This was the 7th day of the month.

Lieutenant Bradley's command was unable to gain the Indian village before day. The trail was steep and difficult and the way was long. When the troops arrived the Nez Percés had broken camp and proceeded on their way. They made but a short march that day, however, and pitched their tipis at the mouth of Trail creek, in the Big Hole basin.

Bradley halted his force under cover of

timber in the hills, knowing that until reinforcements arrived it would be madness to attack. He sent two couriers to the rear to report the facts to General Gibbon, who pushed on with the utmost speed, leaving the wagon-train to follow as best it could. He and the main command reached Bradley about sunset. That astute young scout believed that the Indians intended to remain for a few days. He and Lieutenant Jacobs had done a bit of reconnoitering which was a supreme test of cool-headed bravery. Under cover of the brush and timber they advanced so close to the enemy that they could hear the ring of axes on the trees. Crawling cautiously forward they at length distinguished the voices of squaws who were engaged in chopping lodge poles in the same forest. Although they could hear those sounds they could see nothing, so thick was the timber. One pine grew high above its fellows. They climbed this tree and, reaching its topmost branches, beheld below them in the valley of a great Indian village swarming with life and activity. From the fact that the women were peeling and preparing new lodge poles to replace those worn out or discarded, Bradley and Jacobs concluded that the Indians would remain for a while. Joseph knew that General Howard was far behind him and his number was swelled by twenty-five Bannack warriors.

General Gibbon determined to strike the camp at daybreak the next morning. Having issued his orders he lay down to rest after his strenuous march, with orders that his adjutant should call him at ten o'clock. The train had come up and was "parked" close to the creek.

At ten o'clock the general rose and formed his command into a column. There were 182 officers and men. In complete darkness, through deep forests of fir and pine, through matted and entangling underbrush, in profound and heavy silence, the soldiers beat their way. They proceeded in this manner through the valley of Trail creek until the vast sweep of the Big Hole basin opened before them. About one mile distant the campfires of the

Indians glowed red and by this uncertain light the multitude of lodges was seen.

The trail extended along bluffs that girded the left bank of the river, penetrated a grove of second growth pine, thence led to a grassy hillside where a vast herd of ponies grazed. With the utmost caution the troops passed through the herd, fearing momentarily that they might stampede and give the alarm.

At two o'clock they had gained a vantage point opposite the Indian village, which lay below them in the basin about one hundred and fifty yards from the trail. The eighty-nine lodges of which it was composed were pitched in a "V" shape, the wedge of the "V" being upstream. The stream was between the bluffs and the village. The intervening strip of land was occupied by a slough in which grew clumps of willow bushes. On the other side of the camp lay the undulating prairie.

The disposition of the troops is given as follows by Gen. C. A. Woodruff:

"Comba's and Sanno's companies were quietly placed in skirmish line at the foot of the bluff, covering about half the front, the upper half, of the village. Bradley with the volunteers and about fifteen soldiers was on the extreme left, as we faced, and somewhat detached, so as to be able to strike the lower end of the village. Rawn's, Browning's and William's companies in line behind Comba and Sanno; Logan in line ready to strike the extreme right flank; the plan being to force the Indians out of the village onto the open plain away from their animals, where with our long range rifles and superior discipline they would be at our mercy, but, unfortunately, we didn't have men enough to cover the whole front of the village. Save the barking of the dogs, the occasional cry of a wakeful child and the gentle crooning of its mother, as she hushed it to sleep, all was quiet."

Just as day stole over the eastern sky and objects began to take form out of the darkness the order was given to advance. Suddenly a solitary Indian horseman appeared. He was on his way to look after the grazing

ponies. He must have seen some strange and unaccustomed shape loom out of the thick twilight for he leaned forward to observe more closely. Two shots rang out sharp and clear. The Indian dropped from his horse, dead. The command had been given: "When the first shot is fired charge the camp with the whole line." It was done and the other companies "ordered in on the run." The adjutant galloped to Bradley on the left, shouting the order: "Go in and strike them hard!" The rest of the troops dashed into the river, waist deep, and charged the camp. The Indians were asleep. Their first intimation of danger was the pandemonium of battle. Dismayed, dazed with sleep, they rushed out of the lodges, half naked and in many cases unarmed. In a moment all was confusion. Shots were exchanged in a deadly fusillade. Hand to hand, white men and Indians fought with all the fury of beasts of the jungle. It was not long before Gibbon's men were in possession of the upper end of the village. The troops pushed down the stream, expecting to meet Bradley at the lower part of the camp but they looked for him in vain. The gallant young officer, the hero of many battles, had scarcely advanced twenty yards before he was killed. He, with his little force of soldiers and civilian volunteers, had been ordered to attack the lower end of the camp. They plunged into the willows, through sloughs and into the river, but as Bradley led the left wing of the advancing column he was slain by an Indian who rose out of the brush.

The main detachment of soldiers had descended into the village, firing into the tipis, indiscriminately killing men, women and children. At this point, General Woodruff states:

"Soon from willows in the rear we received a fire; the Indians from the lower end of the village have taken the brush and passed around our left flank. Lines are quickly formed and we sweep the willows—it is literally brush whacking. They are driven back to the hills and we return to destroy the village. But soon from all directions is heard the sharp crack of rifles—the enemy invisible. The In-

dians have recovered from the shock of surprise. They now know how small is the attacking force, and are fighting for everything that man, civilized or savage, holds dear. The village has become the hottest place in the vicinity, and the general reluctantly gives orders to retire to the wooded point before mentioned, about a thousand yards up the river; and taking the wounded with us, the movement is deliberately executed. The general is severely wounded and his horse killed."

The soldiers retreated to the timber to find it already occupied by the Indians. The former charged and won this position. The Indians swarmed about their camp, seemed to prepare to strike their lodges, then hurried off to the east. Shortly after this, huge, billowing clouds of smoke and falling ashes told the story of their terrible revenge. They had set fire to the grass, trusting that a favorable wind would carry it to the timber. Blinded and suffocated by the thick smoke the men stood their ground stoically and just before the fire reached the trees, the wind veered, providentially, and they were saved.

The battle had been fierce and furious and both Indians and white men fired with unusually accurate aim. Two officers, Captain Logan and Lieutenant Bradley, were killed and Lieutenant English afterwards died of wounds received in the fight. Amongst the wounded was General Gibbon.

In the desperate conflict Indian women and youths grasped guns from the bodies of fallen warriors and plunged madly into the fray. One of the most dramatic incidents of the fight was the death of Capt. Will Logan at the hands of a young squaw. Logan and an Indian had been engaged in a hand to hand fight, during which Logan killed the Indian. The sister of the dead man saw him fall, sprang to his side, grasped the "still smoking revolver" from his nerveless fingers and shot Logan through the head.

There was many another dreadful deed on that bloody field that ended fatally for one or both of the combatants.

The men were famished and straving, but

not until night could they obtain water and their meal was the raw flesh of Lieutenant Woodruff's horse that had been killed during the day. Even after darkness fell the Indians fired occasional volleys into the lines. General Gibbon called for a volunteer to take the news of the battle to Deer Lodge and to secure medical aid for the injured. W. H. Edwards undertook that dangerous journey. He slipped unobserved through the Indian lines and went afoot a distance of almost sixty miles to French's Gulch. There he secured a horse and rode forty miles during the next night, reaching Deer Lodge in safety on August 11th.

On the 10th a courier from General Howard arrived at Gibbon's camp bearing the welcome tidings that Howard was hastening to Gibbon's relief.

The battle was fought on the 9th and for two days the troops in their shelter of trees had been besieged by the Indians. Finally, at eleven o'clock on the night of the 10th, the last band of Indians fled after firing a final volley into the lines.

On the morning of the 11th Gibbon discovered that the Indians were gone. Silently as shadows they had stolen off in the dead of night to resume that wonderful retreat which is without parallel in the history of the west. Joseph had heard that Howard was approaching, therefore he abandoned the field where members of his own family lay dead and took up a march as dramatic as the "flight of a Tartar tribe."

Joseph had determined if he could not occupy his own land neither would he submit to being placed on a reservation, therefore he struck out boldly for Canada. For some reason he directed his course southward through the Yellowstone park. A few white tourists were killed by the Indians and still others taken prisoners, but for the most part Joseph and his warriors were kind and to those held by them they showed consideration. This fact is attested by the narrative of Mrs. G. F. Cowan, who was one of the Yellowstone tourists cap-



tured by Joseph's band. In describing him, she says:

"My brother tried to converse with Chief Joseph, but without avail. The chief sat by the fire, somber and silent, foreseeing in his gloomy meditations possibly the unhappy ending of his campaign. The 'noble red man' we read of was more nearly impersonated in this Indian than in any I have ever met. Grave and dignified, he looked a chief."

Joseph and his flying column crossed to the northern bank of the Yellowstone river, struck out towards the Canadian line, where Sitting Bull had taken refuge a year before.

On the afternoon of the seventeenth, just sixteen days after the event took place, Gen. Nelson A. Miles, in the Tongue river cantonment, heard of Joseph's crossing. Miles at once assembled all available troops and with a twelve-pound brass gun and a Hotchkiss single-shot breech-loader, set out by forced marches to overtake the Indians.

By rare good fortune they hailed the last steamer of the season going down the Missouri river. They learned that the Nez Percés had crossed that stream at Cow island two days before. This changed their plan of operation, they hailed the steamboat, and her captain conveyed the troops across the turbulent torrent.

On the 27th the soldiers camped in a deep valley northeast of the Bear Paw mountains. The next day the pursuit was resumed very early and a few hours later a "yell from the Cheyenne scouts who were in advance of the troops announced that they had discovered the trail, and a few moments afterwards the head of the column reached the point and found it broad, distinct, and fresh, leading due north. Like hounds on the fresh trace of game the Cheyennes started on it while the command halted for a few minutes, then wheeled about 'by fours' and followed at a rapid pace. \* \* \* A mile along on the trail a deep 'coulee' had to be crossed by a path running diagonally down its steep sides, a path that would not allow two men to pass at a time. The first battalion had crossed and was forming upon level ground on the farther side

when a Cheyenne warrior came flying back over the rising ground in front, shouting his battle-cry, announcing that the camp was only a short distance away and that the fight was on."

Capt. Henry Romeyn, a participant in the battle, describes certain decisive features of it as follows:

"Mounting as rapidly as possible, these two battalions pushed on at a gallop. But the 'short distance' stretched into miles, and not until three or four miles had been galloped over did we hear the first dropping shots, which as we drew nearer increased into a heavy fire, punctuated by both Indian yells and soldiers' cheers. There was an answering cheer from the mounted infantry battalion, and the pace, till now a gallop, became a ride 'with loosened rein on horses' flanks."

"The camp was located on a small stream called Snake Creek, and it proved in an excellent position for defense in a kidney-shaped depression covering about six acres of ground, along the western side of which the stream ran in a tortuous course, while through it, from the steep bluffs forming its eastern and southern sides, ran 'coulees' from two to six feet in depth and fringed with enough sage brush to hide the heads of their occupants. Here the Nez Percé chieftain had pitched his camp and here he now made his last stand for battle.

"From the point whence the camp could first be seen it appeared open to attack from all but its eastern side and even that was overlooked by bluffs too steep to be readily ascended and from twenty to thirty feet high. But at the south end of the valley or camp ground there was an almost perpendicular bluff that afforded excellent cover for a line firing toward the point from which the attacking force was advancing, and this was instantly occupied by the Nez Percés who, withholding their fire until the Seventh were within two hundred yards, then delivered it with murderous effect.

"Captain Hale and Lieutenant J. W. Biddle were killed at the first fire and Captains Moylan and Godfrey wounded immediately after,

thereby leaving but one officer with the three troops. All the First Sergeants were also killed.

\* \* \* When the camp was first descried, a portion of the lodges had been struck and about one hundred ponies packed for the day's march. These, guided by women and children and accompanied by fifty or sixty warriors, were at once rushed out and started northward. An attempt was made to cut off their retreat, Lieutenant McClelland in command of G. Troop, 2d Cavalry, being sent in pursuit. The Indians halted for fight after going about five miles from the main body, and, finding a large portion of their pursuers encumbered by the care of the ponies they had secured, boldly assumed the offensive and forced the soldiers back toward the main body. although they failed in their attempts to retake the stock. Most of them succeeded in getting back through the investing lines and joining their companions in the defense. So well had these succeeded in covering themselves that scarcely one could be seen; but from their concealment they sent shots with unerring aim at every head exposed by the troops."

The soldiers gained occupancy of the bluffs to the east of the camp. No sooner had they won the position than they were fired upon from the "coulees" opposite. The distance from the soldiers to these "coulees" was only about fifty yards and both men and horses began to fall. This was the point chosen for the Hotchkiss gun but when the artillerymen tried to shell the Indians they discovered that it could not be depressed sufficient to do execution. The gunners were driven off with severe loss.

The battle raged and at three o'clock it became evident the attack must be prolonged into a siege and a desperate effort was made to get possession of the creek, thus securing the water supply and cutting off the Indians. This perilous attempt is best described by Captain Romeyn:

"In order to effect this, Troops A and D of the Seventh Cavalry, which had no officers with them, were placed under the command of the writer, and, with his own company (G)

of the Fifth Infantry, were to be pushed by him up to the edge of the bluffs east of the valley in an attempt to dislodge the Indians there, and to direct a fire on those warriors who could be seen in the 'coulees' in the bottom. Meanwhile Company I, Fifth Infantry, under command of First Lieutenant (now Captain) Mason Carter, was to charge down the slope on the southwestern side and get into the bed of the stream. The writer was to give the signal for the movement, by swinging a hat when the three companies on the high ground were ready. Crawling back to his command the order was passed along the line, and then rising to his feet he swung the hat. The troops started with a cheer, some reaching the rifle-pits only to fall dead on their edge, while a shot through the lungs put their commanding officer out of the fight. Company I succeeded in getting across some of the smaller ravines and certain of its numbers even among the 'tepees,' but the Indians rallied and drove them out with a loss of over a third of their number. The wounded who fell into the hands of the hostiles were not molested, otherwise than to be stripped of arms and ammunition, except one Sergeant of the cavalry who, remembering the Little Big Horn, fired on an approaching Indian with his revolver and was killed because he refused to surrender. They even gave some of the wounded water after nightfall when it could be done with safety."

When night fell a guard was placed, with a view to circumvent the Indians should they attempt to escape. In spite of such vigilance White Bird and a part of his band who were believed to be responsible for depredations committed against the whites in Idaho, stole away and gained the Canadian border.

To the soldiers in their precarious position a new menace presented itself,—Sitting Bull whose name was dreaded,—was not far across the line. White Bird might enlist his sympathies and when reinforced by him and his followers, return to do battle. In addition to this grave anxiety the soldiers endured untold hardships. Captain Romeyn says "The morn-

ing of October first dawned on a sad sight. Some had died during the night, while others supposed to be dead now revived to a sense of misery and suffering." Fifty or more wounded lay huddled together in a "little hollow place." A storm set in, four or five inches of snow fell and added to the torture of the stricken.

On September thirtieth, the men threw up the best intrenchments they could make and these afforded considerable protection.

On the evening of October the first, the delayed train finally arrived. Tents were speedily raised for the wounded but in the uncertainty of darkness they were placed so they were within range of the enemy's guns. One man or more was wounded in consequence. The twelve pounder which had been left with the train was now at the command of the troops "and scarcely had day dawned on the second before its boom told the Indians that a new element had entered for their destruction."

As the sun sank low that evening, a white flag was raised. Under the emblem of truce appeared Joseph. His clothes were pierced "with over a dozen bullets," but he was uninjured. His proposal was that he be permitted to march toward Canada, his warriors armed and mounted. He expressed himself as willing to continue the fight but he wished to save the women and children.

General Miles refused to consider these terms and the Nez Percé chief returned to his camp to renew the battle.

On the third day of the month (October) the generals again met in council. This time Joseph proposed a surrender of his warriors, with all honors of war, they to retain their arms and property. This, too, was refused.

Afterwards the terms were modified to the surrender of supplies taken at the Missouri river, the Indians to keep their horses and guns and to return to their own land. This was all Chief Joseph would concede and it was declined by the commander of the United States forces. During the negotiation a lieutenant "taking advantage of the truce, made his way into the Indian camp where he re-

mained during the night and from which he was allowed to depart unharmed the next morning."

On the morning of the fourth the gun was moved and the second shell fired from it told with deadly effect—a position of the Nez Percés hitherto deemed safe was stormed. A dozen people were killed and wounded.

For the third time Joseph raised the white flag and this time it meant surrender. The great chief of the Nez Percés, the Napoleon of Indian warfare, the noblest of his race, gave up that long march, that flight toward freedom "which, if made by a white chieftain would have justly ranked with some of the most famous ones of ancient times."

In summing up the Nez Percés campaign James Mooney of the Bureau of Ethnology says:

"Then began one of the most remarkable exhibitions of generalship in the history of our Indian wars, a retreat worthy to be remembered with that of the storied ten thousand. With hardly a hundred warriors, and impeded by more than 350 helpless women and children—with General Howard behind, with Colonel (General) Miles in front, and with Colonel Sturgis and the Crow scouts coming down upon his flank—Chief Joseph led his little band up the Clearwater and across the mountains into Montana, turning at Big Hole pass long enough to beat back his pursuers with a loss of 60 men; then on by devious mountain trails southwest into Yellowstone park; where he again turned on Howard and drove him back with additional loss of men and horses; then out of Wyoming and north into Montana again, hoping to find safety on Canadian soil, until intercepted in the neighborhood of the Yellowstone by Colonel Sturgis in front with fresh troops and a detachment of Crow scouts, with whom they sustained two more encounters, this time with heavy loss of men and horses to themselves; then again eluding their pursuers, this handful of starving worn-out warriors, now reduced to scarcely fifty able men, carrying their wounded and their helpless families, crossed



the Missouri and entered the Bear Paw mountains. But new enemies were on their trail, and at last, when within 50 miles of the land of refuge, Miles, with a fresh army, cut off their retreat by a decisive blow, capturing more than half of their horses, killing a number of the band, including Joseph's brother and the noted chief Looking-Glass, and wounding forty others."

Joseph had no alternative but to surrender or abandon the wounded, the women and the children. He chose the former course and after his "masterly retreat" of more than a thousand miles laid down his arms and with them his liberty and his land. As he did so he made the following speech.

"I am tired of fighting. Our chiefs are killed. Looking-Glass is dead. To-hul-hul-Sote is dead. The old men are all dead. It is the young men who say yes or no. He who led the young men is dead. It is cold and we have no blankets. The little children are freezing to death. My people, some of them, have run away to the hills and have no blankets, no food. No one knows where they are—perhaps freezing to death. I want to have time to look for my children and see how many of them I can find. Maybe I shall find them among the dead. Hear me, my chiefs. I am tired. My heart is sick and sad. From where the sun now stands I will fight no more forever."

And Joseph kept his word. It is claimed that his surrender was conditional and that he was promised that he might return to Idaho in the spring.

General Howard's aid de-camp states:

"It was promised Joseph that he would be taken to Tongue river and kept there till spring, and then be returned to Idaho. General Sheridan ignoring the promises made on the battlefield, ostensibly on account of the difficulty of getting supplies there from Fort Buford, ordered the hostiles to Leavenworth. \* \* \* but different treatment was promised them when they held their rifles in their hands."

General Nelson A. Miles did his utmost to

have Joseph and the surviving remnant of his followers sent to Idaho but without avail. They were placed in exile at Fort Leavenworth and later moved to the Indian Territory, far from their native hunting grounds. This was virtually a sentence of death. They were a mountain-bred people and they sickened under the change until fifty per cent of their number died from malarial fever. Not until 1884 were they at last taken back to Idaho. General Miles pays this tribute to Joseph:

"Chief Joseph was the highest type of Indian I have ever known, very handsome, kind and brave. He was quite an orator and the idol of his tribe."

The last Indian outbreak of importance occurred in 1890. Once more it was the Sioux who rose in rebellion. There were three principal reasons for the uprising; first the attempts of the government to have the tribe cede more of its lands, second the reduction of rations which caused hunger and suffering and third the mystic ghost dance of the Prophet Wovoka. There was, indirectly, yet another influence,—that of Sitting Bull the uncompromising leader who had returned from Canada to sow the seeds of discontent.

The Indians had kept faith up to this time. As an "illustration of their good behavior," Dr. V. T. McGillicuddy, agent at Rosebud from 1879 to 1886, "a man of unflinching courage, determined will, and splendid executive ability," took the Indians, just off the war path and controlled them for seven years without a soldier on the reservation. He organized the Indian police, drilled them in military tactics and through them asserted his authority.

The Pine Ridge and Rosebud reservations adjoined each other. At the first there were six thousand at the last four thousand Sioux thus making a combined force of 10,000.

Sitting Bull opposed the new treaty and it was urged, not without justice it must be confessed, that the United States had not fulfilled its covenants.

"We were made many promises, but have

never heard from them since," said American Horse.

The official statement of General Brooke shows that the issue of beef at Pine Ridge decreased from 8,125,000 pounds in 1886 to 4,000,000 pounds in 1889, "a reduction of more than one-half in three years." Agent Gallagher was doing his best for those in his charge. In April, 1890, he informed the department that the monthly issue of beef was but 205,000 pounds, though the treaty bound the government to issue 470,400. The Sioux were growing restless from hunger. The buffalo were gone. They were at the mercy of the lords of the land. They became ugly and refused to accept the short issue. Agent Gallagher was helpless, therefore he resigned.

In this condition of irritation and distress the Sioux wildly embraced the strange new religion that was spreading through the land. The voice of the Indian Messiah, Wovoka, reached them through the distance from his dwelling under the great Sierra. He said:

"When the sun died, I went up heaven and saw God and all the people who had died a long time ago. God told me to come back and tell my people they must be good and love one another, and not fight, or steal or lie. He gave me this dance to give to my people."

The Ghost Dance came to the Indians, when, having lost everything earthly they reached out for something spiritual. This religion gave them what they most desired. It promised the return of the vanished herds, the healing of the sick, the resurrection of the dead and the triumph of the Indian over the white man.

Eagerly, frenziedly, fanatically, they seized upon it and danced till they had,—or fancied they had,—visions which fulfilled the prophecy.

At Pine Ridge matters were critical but there is every reason to believe that had the intrepid Dr. McGillicuddy or conscientious Gallagher been in authority, the Indians would have quietly obeyed. Such is the fickle lottery of politics, that at the crisis an inexperienced person was placed in charge, one D. F. Royer who is described as "destitute of any of those

qualities by which he could justly lay claim to the position—experience, force of character, courage, and sound judgment." The Indians realized this at once and he was dubbed by them "Young-man-afraid-of-Indians."

During the first week of his incumbency he lost all control and before a month was half past he had reported that over half of his three thousand Indians were dancing and he needed troops. General Nelson A. Miles was too wise and cool-headed a leader to act rashly. He expressed his opinion that the Ghost Dance excitement would die out of itself. The hysterical young agent at Pine Ridge lost his head completely and frenziedly wired Washington for military aid.

The agent at Rosebud also reported that his Indians continued to dance in spite of the police. In contrast to this, McGillicuddy at Standing Rock maintained absolute control without the support of a single soldier.

It has been said with some degree of wisdom that a man repents when he is too old to sin. Thus Sitting Bull who had finally surrendered in 1881, embraced the Ghost Dance religion with avidity. To be sure, his repentance was but a sham. Probably he was sincere in accepting the Ghost Dance but if so it was a means to an end and the end was vengeance on the hated white man. During the trouble he took down the pipe of peace which had hung in his tipi in token of good faith and broke it, saying that he wished to fight and to die.

On November 13th, the President turned affairs over to the war department, instructing the Secretary of War to "assume a military responsibility to prevent an outbreak." General John R. Brooke in command of a force of troops was ordered into the field on November 17th. The campaign was under the direction of Gen. Nelson A. Miles, who established headquarters at Rapid City, South Dakota. In a short time about three thousand soldiers occupied the Sioux country.

Terrified at the presence of the military, bands of Indians from Rosebud and Pine Ridge, under the leadership of Short Bull and

Kicking Bear, fled to the Bad Lands of Dakota. With these two chiefs utterly stampeded, their bands scattered and Red Cloud too old and also too much of a diplomat to incite trouble, Sitting Bull was virtually without support in his defiance. Of the twenty-five thousand people comprising the Sioux nation six or seven thousand of whom were warriors, not to exceed seven hundred fighting men (including those who had retreated to the Bad Lands) were involved in the disturbance.

With the occupation of the country by an armed force, the Ghost Dance virtually ceased except at the camp of Sitting Bull on Grand river and that of Big Foot on the Cheyenne.

Agent McLaughlin at Standing Rock had previously advised the department that Sitting Bull and some of his fellow conspirators be removed when the proper time should arrive but he was firm in the conviction that it should not be attempted during the unrest of the people and he furthermore expressed himself as believing himself able to accomplish the arrest by means of the Indian police and without military aid. After deliberation it was determined that Agent McLaughlin and Colonel Drum, acting in accord, should capture him.

Twenty-eight Indian police had been stationed near Sitting Bull's camp and messengers were sent to advise them that the arrest was about to take place and therefore for them to concentrate around the old chief's camp. The hard, swift rides of these Indian messengers, deserve the greatest praise.

The capture was to be made by the police if possible but in case of trouble two troops of cavalry and one Hotchkiss gun were to be close by, in readiness for action.

At dawn on December 15th, 1890, forty-three Indian police and volunteers commanded by Lieutenant Bull Head surrounded the houses of Sitting Bull. The old man had two cabins and a detachment of ten entered each simultaneously while the rest stood guard outside. Sitting Bull was asleep on the floor. When he was told that he was a prisoner he offered no resistance at first but as he dressed he was possessed with growing rage. He re-

viled the police in loud tones, and, attracted by this commotion, about one hundred and fifty of his followers pressed around the houses and crowded the room where their chief was held. With an Indian policeman on each side of him, one behind and the others trying to clear the way ahead, he was forced into the open. Goaded to madness he called upon his people to save him. One of them responded with a shot which killed one of his guards. Then Lieutenant Bull Head, who was at his side, shot Sitting Bull. At the same instant a second bullet, fired by a policeman, Red Tomahock, entered the chief's head. Sitting Bull fell dead. Bull Head was killed also.

Word of the combat was sent to the troops, who advanced, and as they approached the demoralized Indians fled.

We now come to the saddest of all the sad chapters in our Indian wars,—the Battle of Wounded Knee which must ever remain a dark and shameful blot upon our flag.

Big Foot and his band started to fly from their haunts on the Cheyenne river to the Bad Lands. They were intercepted and cut off by Major Whiteside of the Seventh Cavalry. Big Foot surrendered and he and his followers proceeded under military escort to Wounded Knee creek, about twenty miles northeast of Pine Ridge agency. The entire command together with the Indians camped at this spot where they were reinforced by four more troops of the Seventh Cavalry under Colonel Forsyth. The military force consisted of eight troops of cavalry, one company of scouts and four pieces of light artillery.

In Big Foot's band there were but 106 warriors. He lay helplessly ill with pneumonia. The plan of General Miles was to place the chief and his followers on their reservation or send them out of the country until the Ghost Dance was forgotten. Therefore, on the morning of December 29, 1890, the troops proceeded to disarm the Indians before continuing the march to the agency and thence to the railroad where they were to be deported.

The Indian camp was completely sur-



rounded by soldiers and over it floated the white flag of peace. Behind the camp was a ravine running into the creek and on a slight elevation in front of it were the four Hotchkiss machine guns, trained directly upon the lodges. Just after eight o'clock the braves received orders to surrender their weapons. In response they seated themselves before the troops. They were then ordered to return alone to their tipis and bring forth their arms. Twenty entered the lodges, coming back with but two guns. A portion of the soldiers stood guard over the warriors while another detachment searched the tipis. Forty old rifles were found. The soldiers had ransacked the lodges and in some instances had driven out the owners which caused excitement among women and children and resentment among the men.

During the search for weapons, Yellow Bird, a medicine-man had been piping on an eagle-bone, medicine whistle, telling the warriors that in their ghost shirts they were invulnerable to bullets and urging that they resist the soldiers. The officer did not understand the Sioux language nor the portent of these admonitions. At this climax one of the soldiers attempted to raise the blanket of an Indian. Yellow Bird stooped, grabbed a handful of dust and threw it into the air. It seemed to be a terrible signal. A young man among the Indians fired. The soldiers at once sent a volley into the Indian ranks as they sat. About half the Indians fell, fatally wounded or killed. A frightful hand to hand struggle followed. The Indians had few guns but most of them were armed with pistols, knives and even war-clubs.

The Hotchkiss guns were at once brought into action, sending a storm of shells and bullets among the women and children—who had gathered in front of the tipis to watch the unusual spectacle of military display. The remainder of this tragedy is best told in the words of James Mooney, who has made a study of it. He writes:

"The guns poured in 2-pound explosive shells at the rate of nearly fifty per minute,

mowing down everything alive. The terrible effect may be judged from the fact that one woman survivor, Blue Whirlwind, with whom the author conversed, received fourteen wounds, while each of her two little boys was also wounded by her side. In a few minutes 200 Indian men, women, and children, with sixty soldiers, were lying dead and wounded on the ground, the tipis had been torn down by the shells and some of them were burning above the helpless wounded, and the surviving handful of Indians were flying in wild panic to the shelter of the ravine, pursued by hundreds of maddened soldiers and followed up by a raking fire from the Hotchkiss guns, which had been moved into position to sweep the ravine.

"There can be no question that the pursuit was simply a massacre, where fleeing women, with infants in their arms, were shot down after resistance had ceased and when almost every warrior was stretched dead or dying on the ground. On this point such a careful writer as Herbert Welsh says: 'From the fact that so many women and children were killed and that their bodies were found far from the scene or action, and as though they were shot down while flying, it would look as though blind rage had been at work, in striking contrast to the moderation of the Indian police at the Sitting Bull fight when they were assailed by women.' The testimony of American Horse and other friendlies is strong in the same direction. Commissioner Morgan in his official report says that 'Most of the men, including Big Foot, were killed around his tent, where he lay sick.' The bodies of the women and children were scattered along a distance of two miles from the scene of the encounter."

The consensus of opinion is that Colonel Forsyth was not to blame for the wholesale massacre of women and children, though we find no explanation for the shelling of their position by the Hotchkiss guns. The whole catastrophe seems to have been unpremeditated,—a horrible impulse with deadly results.

James Mooney adds the following pathetic details of the aftermath of the conflict:

"On New Year's day of 1891, three days after the battle, a detachment of troops was sent out to Wounded Knee to gather up and bury the Indian dead and to bring in the wounded who might be still alive on the field. In the meantime there had been a heavy snow-storm, culminating in a blizzard. The bodies of the slaughtered men, women, and children were found lying about under the snow, frozen stiff and covered with blood. Almost all the dead warriors were found lying near where the fight began, about Big Foot's tipi, but the bodies of the women and children were found scattered along for two miles from the scene of the encounter, showing that they had been killed while trying to escape. A number of women and children were found still alive, but all badly wounded or frozen, or both, and most of them died after being brought in. Four babies were found alive under the snow, wrapped in shawls and lying beside their dead mothers, whose last thought had been of them. They were all badly frozen and only one lived. The tenacity of life so characteristic of wild people as well as of wild beasts was strikingly illustrated in the case of these wounded and helpless Indian women and children who thus lived three days through a Dakota blizzard, without food, shelter, or attention to their wounds. It is a commentary on our boasted Christian civilization that although there were two or three salaried missionaries at the agency not one went out to say a prayer over the poor mangled bodies of these victims of war.

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"A long trench was dug and into it were thrown all the bodies, piled one upon another like so much cordwood, until the pit was full, when the earth was heaped over them and the funeral was complete. Many of the bodies were stripped by the whites, who went out in order to get the 'ghost shirts,' and the frozen bodies were thrown into the trench stiff and naked. They were only dead Indians. As one of the burial party said. 'It was a thing to melt the heart of a man, if it was of stone,

to see those little children, with their bodies shot to pieces, thrown naked into the pit.' The dead soldiers had already been brought in and buried decently at the agency. When the writer visited the spot the following winter, the Indians had put up a wire fence around the trench and smeared the posts with sacred red medicine paint.

"A baby girl of only three or four months was found under the snow, carefully wrapped up in a shawl, beside her dead mother, whose body was pierced by two bullets. On her head was a little cap of buckskin, upon which the American flag was embroidered in bright beadwork. She had lived through all the exposure, being only slightly frozen, and soon recovered after being brought into the agency. Her mother being killed and, in all probability, her father also, she was adopted by General Colby, commanding the Nebraska state troops. The Indian women in camp gave her the poetic name of Zitkala-noni, "Lost Bird."

In summing up the story of our Indian Wars there are several things to consider. It is difficult to place the blame, for there was blame on both sides; blame too, in the petty rivalry of the Interior and War departments and above all else, the crime of crimes was ignorance. We have also to consider the reasoning of the primitive mind. The Indian expects immediate results. Cause and effect with him come in rapid sequence. The Council decides and the decision becomes reality. Thus in our agreements and covenants he does not realize the cumbersome circumlocutions of governmental affairs, the tangle of red tape and the complicated political machinations. The Interior Departments sinned greatly; many "greenhorn" (or worse) agents were sent out to pilfer and starve the tribes but there were also heroic and noble men who labored for the Indians in the capacity of guardian and agent. The war department sinned also but generally it was some "callow youth" eager to win his spurs who struck the first ill-placed blow and precipitated war-fare. As a rule the officers seasoned with experience avoided hostilities and

were broad and humane in their policy. General C. A. Woodruff writing on the subject says:

"I desire most earnestly to impress upon you the fact that the soldier does not desire war and that our Army was no more responsible for these (Indian) wars than is the church for the sins against which it battles or the surgeon for the disease which he cures with the knife. I will go further and say that our Army and Navy have neither caused nor been responsible for bringing on a single one of our great wars; though they brought every one of them to a successful conclusion.

"The Army has had no part in making or breaking the long list of treaties; was not responsible for the constant crowding of the Indian by the onward march of the settler and miner; nor can the oppression of the weaker race by the stronger be charged against the Army.

"The soldier was the buffer between these hostile forces and was only called in to preserve peace and protect all parties after the civil authorities had admitted their absolute helplessness. The campaigns I shall discuss

originated in a request by the Interior Department for the army to force certain tribes upon reservations that were objectionable to them.

"In his annual report for 1877, General Sheridan said:

" 'During the last two years the ratio of loss of officers and men in proportion to the number engaged in this division in the Indian wars, has been equal to or greater than the ratio of loss on either side in the present Russ-Turkish campaign or in the late Civil war in this country. I take pleasure in saying that both officers and men throughout the division have shown a thorough and commendable devotion to duty, and deserve the approbation of the country.' The number of soldiers killed in the departments commanded by Generals Terry, Crook and Howard was greater than the number killed in the Philippines, from May 1, 1898, to September 30, 1899, and nearly twice the number of soldiers and sailors, regulars and volunteers, killed in Cuba and Porto Rico during the same period."

The whole great tragedy is to be eternally regretted and future generations must strive to atone for the sins of generations past.

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## CHAPTER XVI

### TRAILS AND ROADS—EARLY TRANSPORTATION—STAGE COACH DAYS— THE COMING OF THE RAILROADS

Before the railroads bridged the continent the greater arteries of overland travel were the Santa Fé Trail and its westward continuations the Gila Route and the Old Spanish Trail; the Oregon Trail, the Great Salt Lake and the California Trails. The Santa Fé Trail was the oldest of all these, and the first pilgrim who wended his way over it was the renowned Alvar Nuez Cabeza de Vaca.

From St. Louis, the Mecca of early Western travel, the *voyageurs* proceeded to Independence, just five miles east of Kansas City. From that point the two great trails, the one to Santa Fé, thence to the southern coast, and the other to Oregon, followed the same road for forty miles. At the parting of the ways there was a sign-post bearing the words: "Road to Oregon." This Trail was over 2,000 miles long.

From the city of Santa Fé, the terminus of the Santa Fé Trail, there were two trails to the Pacific Coast, the Gila Route and the Old Spanish Trail. The first of these followed the Gila river to the Gulf of California or the Gunnison, which, emptying into the Grand, leads to the Green, thence to the Colorado river. The latter torrent becoming impossible to follow in its course through the Grand Cañon, the route lay over the desert, across the Sevier and the Virginia rivers along the edge of Death Valley, thence to southern California near the present city of Los Angeles. This was the Old Spanish Trail. The other one which followed the Gila river was called Old Gila Trail.

The route of the Oregon Trail was first traversed by Wilson Price Hunt who headed the memorable overland expedition for the

Pacific Fur Company. It followed old game trails, trodden first by the buffalo, then by the Indian and the trapper and finally by the explorer and pioneer. Ashley went over this trail in 1823 and one of his employes, Etienne Provost and James Bridger discovered the South Pass which has been described as "the most significant find in the history of the trail." After him came Bonneville in 1832, Wyeth in 1833, Robert Campbell and William Sublette in the same year, who built Fort Hall. In 1843, Fort Bridger was established by James Bridger. It was the first post for the accommodation of emigrants on the Oregon Trail. The Indians called this the "Great Medicine Road of the Whites." Over it traveled Whitman and Spaling, Father De Smet in 1840, Fremont in 1842 and Parkman in 1846. Afterwards came the "forty-niners" bound for the gold-fields of California.

The Salt Lake Trail lay over virtually the same route as the Oregon Trail. It was the highway of the Mormons who journeyed to Utah. The course of this trail left the Missouri at Council Bluffs, then west to Fort Laramie, thence to Fort Bridger and southwest through Emigrant Cañon to the Great Salt Lake.

The California Trail also followed the Oregon Trail for some distance. The point of divergence was close by the northern flank of the Wasatch Mountains, on the Bear river, near Fort Hall. From Fort Hall it bore to the southwest, along the northern end of Salt Lake, then along the northern shore of Humboldt lake across the Sierra to the confluence

of the American Fork and the Sacramento rivers.

The great overland trails did not pass through the territories of Idaho or Montana. The usual mode of travel to these isolated gold fields was by steamboat up the Missouri river to Fort Benton or by the Platte trail, thence over a northern branch from the vicinity of Fort Hall to Virginia City. Other immigrants "crossed the mountains between Fort Lemhi and Horse Prairie creek and, taking a cut-off to the left, endeavored to strike the old trail from Salt Lake to the Bitter Root and Deer Lodge valleys." As the traffic across the plains grew, many branches of the main trails were built to facilitate travel and make the way more direct.

In 1855 Congress authorized the building of the Mullan road across the Continental Divide from Fort Benton to Walla Walla. This road, which followed an old Indian trail, was constructed under the direction of Lieutenant John Mullan who took a prominent part in the Northern Pacific Survey. It was a military road and was intended primarily for the transportation of troops across the Rocky Mountains, but it also became a principal line of travel for immigrant trains.

Lieutenant Mullan was one of the expedition headed by Governor I. I. Stevens. It was arranged that Mullan, Lieutenant Donaldson and a detachment of six men should proceed up the Missouri river to Fort Union by steamboat with Major Culbertson, while Governor Stevens and the remainder of the party came overland. This was in 1853. Mullan and his men waited at Fort Union for Governor Stevens. Upon his arrival the two parties united and continued the journey to Fort Benton.

In the autumn of the same year Lieutenant Mullan established winter quarters in the Bitter Root valley. During his sojourn there he was ordered to make numerous explorations. The quarters of the command consisted of four log cabins situated at a spring near the mouth of William creek. Lieutenant Mullan named this Cantonment Stevens in honor of Governor Stevens.

Writing of Mullan's work Judge Woody says:

"Congress having made a large appropriation to build a Military Wagon Road from Fort Walla Walla to Fort Benton, placed Lieut. John Mullan in charge of the work. He organized his expedition at the Dalles, Oregon, in the spring of 1858, but was forced to disband it on account of the Indian hostilities. He again organized in the spring of 1859, and constructed the road over the Coeur d'Alene mountains as far as Cantonment Jordan on the St. Regis Borgia, where he went into winter quarters, sending his stock to the Bitter Root valley. During the winter the greater portion of the heavy grades between Frenchtown and the mouth of Cedar creek was constructed. In the spring of 1860, he resumed his march and took his expedition through to Fort Benton, doing but little work, however, between Hell's Gate and Fort Benton.

"In the spring of 1861 Lieut. Mullan organized another party and started for Fort Benton to finish up the road that he had merely opened the year before. His expedition was accompanied by an escort of one hundred men under command of Lieut. Marsh. The expedition came as far as the crossing of the Big Blackfoot river, where they erected winter quarters and named them Cantonment Wright, in honor of Colonel, afterwards Gen. Wright, who quelled the Indian war of 1858 so effectively. During that winter the heavy grades in the Hell's Gate canyon were constructed.

"In the spring of 1862 Cantonment Wright was broken up, Mullan with his party going to Benton and the escort under Lieut. Marsh returning to Walla Walla and Colville."

Another important cut-off was the Bozeman road. This went over the Bozeman Pass, which was none other than the one that Sacajawea pointed out to Captain Clark. Peter Koch gives this account of the road:

"In the winter of 1862-3 two men, John M. Bozeman and John M. Jacobs, left Bannack for the states with the idea of looking out a shorter route for emigrants than the roundabout one, up the Platte. They were set afoot

by the Sioux on Powder river and nearly starved, being reduced to a diet of grasshoppers, but made their way, finally, to Missouri. They started back immediately to guide a train through by the new road. Meeting hostile Indians, they were turned back and compelled to come by the way of Lander's cut-off and Snake River. Bozeman himself went back to Missouri and succeeded in getting a large train to follow him in 1864. His route lay between the Black Hills and Wind River mountains, leaving the latter to the west and south. Bridger was also taking a train through by his new road west of the Wind River mountains and down Clark's Fork and had denounced Bozeman's road as impracticable. But although Bridger had several weeks' start and reached the Yellowstone first, his road into Gallatin valley, up Shield's river and Brackett creek and down Bridger creek, was so circuitous that Bozeman reached the valley ahead of him, but lingering there Bridger overtook him, and they raced their trains from the West Gallatin into Virginia, reaching that place within a few hours of each other.

"During the two following years (1865-6) the principal immigration into Montana was by the Bozeman road and across the Bozeman Pass, and many of our leading citizens came over the road in those years and could doubtless tell many a moving tale of accident by flood and field during their long overland journey. Forts Reno, Phil Kearney and C. F. Smith were built by the government to protect the trains on this road."

It has been said of Bozeman that "he and Bridger were the pioneers in opening eastern Montana to the white men." The city of Bozeman, the Bozeman road and the Bozeman Pass all perpetuate his memory. He was killed by Indians near the old Crow Agency, in April, 1867.

The Powder river road is one of especial historic interest, for its building precipitated hostilities with the Sioux. Departing from the main road near Fort Laramie, thence along the north side of the Platte, then skirting the Powder and Tongue rivers, both affluents of

the Yellowstone, it struck directly through the chosen hunting ground of that tribe. This was an unusually beautiful country, flanked by the majestic Big Horn mountains. A contemporary author states: "Here was water, timber and foliage, coal and oil and game. It was the garden spot of the Indians." There dwelt the dusky legions of the buffalo, elk, antelope, deer and countless birds. The Indians had given up much, but for this land they were willing to fight and die. The Powder river road, penetrating this paradise primeval meant the destruction of the game and the influx of white population. Its building and the maintenance of the posts along the way, including Fort Philip Kearney led to the Fetterman massacre.

General Patrick E. Connor with 1,600 men, some of whom were ex-Confederate troops, started in the summer of 1865 from Fort Laramie "for the mouth of the Rosebud, on the Yellowstone, by way of the Powder river." Jim Bridger guided the party, swearing mightily at "these damn paper-collar soldiers." Connor and his command made the Yellowstone, but they fought their way, and in September the troops were withdrawn, so the expedition accomplished little in opening or maintaining a new route to Montana.

As different camps and settlements sprang up at considerable distances in the vast area of Montana, trails were built to connect them.

Probably the first wagons that ever entered the present limits of western Montana were brought from Fort Hall or Salt Lake by an old Mexican trapper, Emanuel Martin, better known as "Old Emanuel," between 1850 and 1854. He knew the mountains perfectly and was familiar with every trail "from Mexico to the British possessions." He brought these wagons through the Big Hole basin, across the Big Hole mountains, down the Bitter Root river and into the Bitter Root valley.

In 1865 the gold discoveries on the Little Blackfoot and its tributaries and also along the affluents of the Big Blackfoot river, brought a tremendous influx of emigrants from California, Oregon, Idaho and Washing-



ton. Nearly all of this restless, shifting crowd came over the Coeur d'Alene mountains by way of the Mullan road and through the old Hell Gate Ronde. "During the whole of the summer and the fall of 1865, the road was literally lined with men and animals on their way to the New El Dorado."

With the increasing population and the remoteness from basis of supplies the scattered communities now springing into being, the matters of supplies became vital and a huge pack train traffic was organized to meet the demand. A large proportion of the supplies consumed in the mining camps were brought in from San Francisco and Portland. From Walla Walla, Washington, this merchandise was transported on pack mules over the Coeur d'Alene mountains, through Hell's Gate. "So great was this trade," writes Judge Woody, "that hundreds and even thousands were unusually lively in western Montana."

We now come to a picturesque bit of history. In the summer of 1865 toiling over the same weary way from either Nevada or Idaho came a camel train! Out of the great Sahara into the Rocky mountains! One could scarcely fancy a more radical contrast. The enterprise was not a commercial success. One of the camels died crossing the Missouri river, another was shot and killed near Blackfoot City by an energetic, if ignorant hunter, who, never having seen such a strange, ungainly beast, mistook it for a freak moose. To the Indians the camels were a source of wonder. The animals were taken to Arizona. They were perhaps the cause of the fruitless effort of the War Department to introduce the Saharan camel as a beast of burden in our deserts in 1856. Congress appropriated \$30,000 for the purpose, and Lieutenant H. C. Wagner was detached to proceed to the Levant to secure the camels. He returned with seventy-five of these animals which were used in Texas with no better success than their unfortunate companions in the Rocky mountains.

The trail across the Coeur d'Alene mountains was impassible until July. It was therefore necessary to find another route whereby

the energetic travelers and merchants could reach Montana at an earlier season. The spring travel, therefore, came by way of Pend d'Oreilles Lake and up Clark's Fork of the Columbia. The heavy travel over this route and the prevailing belief that the Northern Pacific Railroad would soon become a reality, induced the Oregon Steam Navigation Company of Portland, Oregon, to establish steamboat transportation on the lake and river, this considerably shortening the journey to Montana.

"The company commenced operations in the fall of 1865, and in four months from the time the first tree was felled, a steamboat was launched and floated on the bosom of the lake. She was 108 feet in length 20 feet beam, and was 85 tons' burden, constructed entirely of whip-sawed lumber. This boat was built on the western shore of the lake in Idaho Territory. She was christened the Mary Moody, and made her first trip in the spring of 1866, coming across the lake and up Clark's Fork, about fifteen miles to the Cabinet Landing, just inside of Montana. This was the first steamboat that ever navigated the waters of western Montana. The following winter the company constructed two more boats to ply on Clark's Fork, above the Cabinet mountains. One of these, the Cabinet, ran from the upper end of the Cabinet falls, to the rapids at Rock Island; and the other one, the Missoula, ran from the upper end of the Rocky Island rapids up to Thompson's Falls. These boats did a good business for two or three years, but after that time, the travel having fallen off, the boats were, in the summer of 1870, run down over the falls, to the lower or western end of the lake, when the machinery was taken out and conveyed to the lower Columbia river. That the reader may form some idea of the vast travel through this portion of Montana from 1865 to 1870, I will state, that the year of 1869, was an unusually dull year, owing to a lack of water in the mining camps, but during that year, the steamboat company reported that they conveyed on their boats about four thousand animals and their packs,

and that many packers passed with their trains around the northern end of the lake by a trail difficult to pass in wet seasons."

The traffic to and from the eastern slope of the range was even greater than that towards the west. Lummis in his "Pioneer Transportation in America" states that in 1860 five hundred freight wagons often passed Fort Kearney in a day. During one day there were by actual count 888 west-going wagons drawn by 10,650 oxen, mules and horses, between Fort Kearney and Julesburg. Six thousand wagons are estimated to have gone past Fort Kearney in six weeks during 1865. The firm of Russell, Majors and Waddell in the growth of their business used 6,250 freight wagons and 75,000 oxen. The time consumed by these huge freight trains to go to Salt Lake City or Bannack and return was the entire summer, or traveling season.

Not only the remote territories of Idaho and Montana, but the entire west with its scattered colonies were absorbed in the problem of transportation. Not only did travelers wish some safe and regular means of conveyance, some established and stable means upon which they could depend for supplies but they wanted communication with their old homes, letters from relatives and friends, news of that outer world of men and deeds from which they had become detached. So persistent and so strong was this demand and so steadily increased the number of those who made the demand that it became necessary to find a means by which it could be satisfied. In 1857 Congress authorized the postmaster-general to call for bids for an overland mail, "which, in a single organization, should join the Missouri to Sacramento, and which should be subsidized to run at a high scheduled speed." The service demanded in the advertisement of the postmaster-general was to be semi-weekly, or fortnightly as he might afterwards deem best. The mails were to be carried in four-horse wagons in a period of time not to exceed twenty-five days and the time of the contract was for six years.

John Butterfield was chosen to establish the

overland mail. The course selected began at St. Louis and Memphis, "made a junction near the western border of Arkansas, continued to Preston, Texas, El Paso and Fort Yuma. The route covered a distance of 2,795 miles. Fortnightly mails were to be delivered by the company's stages in return for which service the government was to pay \$600,000 per year. The first two stages started simultaneously from the opposite ends of the line on the fifteenth of September, 1858. On board the east-bound coach was a representative of the post office department. He reported that the trip to Tipton, Missouri and from that point by railway to St. Louis, "was made in 20 days, 18 hours, 26 minutes, actual time." President Buchanan telegraphed Butterfield; "I cordially congratulate you upon the results. It is a glorious triumph for civilization and the Union. Settlements will soon follow the course of the road, and the east and west will be bound together by a chain of living Americans which can never be broken."

It was, indeed, a great event. The epoch of the stage coach one of the most picturesque of our civilization, was fairly begun.

However, after Butterfield's pioneer overland stage had proved the feasibility of the venture, other lines over difficult routes sprang into existence. The discovery of gold near Pike's Peak and the consequent rush to Colorado caused the founding of a stage line over the Platte Trail in 1858.

By 1860 there were three trans-continental coach and mail lines in operation. The Mormon mails, which for a time had been interrupted by the Mormon War were revived, but a new company had been organized to supply their needs, namely, the Leavenworth and Pike's Peak Express Company. At this time an important concern entered the field under the firm name of Russell, Majors and Waddell, successors to Jones and Russell. They began their stage service in May, 1859.

After trying different routes, they decided upon the following: from Fort Leavenworth, Kansas, to Salt Lake City by way of Denver, thence over the route outlined by Fremont in

1843. This took them along the Platte Trail to the forks of the river where the notorious Julesburg burst into noisy existence, a place described by General Dodge as "celebrated for its desperadoes. No twenty-four hours passed without its contributions to Boots Hill (the cemetery whose every occupant was buried in his boots), and homicide was performed in the most genial and whole-souled way." On the first coach sent west by this firm rode Henry Villard of Northern Pacific fame, and in June no less a personage than Horace Greeley was among the passengers.

The southern route followed by Butterfield was abandoned at the beginning of the Civil war, and a central stage line known as Ben Holladay's was established in 1861. It extended from St. Joseph, Missouri, following the Oregon Trail, to Sacramento, California, a distance of 1,900 miles. The time of transit (barring hold-ups, attacks by Indians and other untoward events) was eight days. Holladay had an equipment of 100 concord coaches, 2,700 horses and mules, \$55,000 worth of harness and 250 daring men.

There was intense rivalry between the firms of Russell, Majors and Waddell and Ben Holladay and when Majors, in a spirit of wild bravado, drove his coach from Salt Lake to Leavenworth, covering 1,200 miles in ten days, the pride of Holladay was aroused to desperate action. He therefore took a coach through from Salt Lake to Atchinson in eight days absolutely wrecking horses, coaches and other equipment valued at twenty thousand dollars.

It is easy to understand that the disinterested traveler must have suffered not only discomfort but actual danger on these overland trips. "Once upon the road the passenger might nearly as well have been at sea." The utter recklessness of the drivers, the menace of Indians and highwaymen all assailed him. Col. A. K. McClure in his "Three Thousand Miles Through the Rocky Mountains" has feelingly described the hazards and hardships encountered on Ben Holladay's line. He writes:

"I have, as yet, no means of knowing the

condition of things on the mountain-line between Denver and Salt Lake; but I beg leave to suggest to the military and stage authorities that they test the safety of the route before they expose travelers hereafter, as heretofore. Let Mr. Ben Holladay, for instance, take passage in a coach at Julesburg, or Junction, for Salt Lake, with Lieutenant-General Sherman as escort. Let them have the best of horses for changes along the line, and invite visits from the 'friendlies' by turning the advance teams out to graze, so that Sherman, Holladay & Co., may exercise themselves, as I did, in helping to catch their teams at the stations. They would doubtless need some hair restoratives before they got through; but, as it is their business to protect and carry passengers, it would be equally their business if they should part with any of their hair. The route once thus traveled and officially reported upon could thereafter be held out to the public as a thoroughfare meriting patronage. Until then, passengers who do not prefer to be scalped had better stay at home, or select some other route."

The dare-devil, break-neck speed of Majors and Ben Holladay failed to satisfy the cravings of remote California for news. Senator Gwin of that state urged Russell, Majors and Waddell to institute the Pony Express. Majors and Waddell discouraged the idea; Russell urged it and carried his point. Stations were constructed at points from nine to fifteen miles apart across the entire continent from Placerville to St. Joseph. There were almost two hundred. At each of these there were horses, riders, stablemen and feed. The first pony express riders started simultaneously at the extremes of the line on the 3rd of April, 1860. In all the romance of our western history there is no feature more thrilling than the pony express. A veritable whirlwind of the plains were the riders of the pony express. They were picked men, often mere boys, light of weight, great of endurance, who stopped at nothing but the impossible. In a frenzied rush, a mad delirium of speed, they dashed



solitary and unprotected with their priceless burden,—the overland mail.

The whole country was seething with the disquiet preceding the Civil war and those remote and isolated colonies of the west must be supplied with news, cost what it might.

When a rider reached a station his fresh horse stood ready. He was allowed two minutes to transfer the mail, mount and be off, but he often did it in less time. The scheduled speed was two hundred and fifty miles a day. The pouches which contained the mail were waterproof and sealed. They were fastened to the front and the back of the saddle. Each letter was wrapped in oilcloth. The papers sent thus were printed on tissue paper, sealed in envelopes and paid for at letter rates. The rate of postage was first, five dollars per half ounce, but this was reduced to one dollar. Once the mail bags were locked they were not opened until they were delivered at their destination. "Never but once," we are told "on this long, dangerous route was a mail bag lost. One rider was scalped by the Indians, but the riderless pony came panting into the next station with the mail safely fastened to the empty saddle."

Ten days was the usual time consumed on the trip, but this record was beaten many times. The last message of Buchanan was taken from St. Joseph to Sacramento in a few hours over eight days, but the greatest speed recorded is that which bore the news of Abraham Lincoln's inauguration to California, over a distance of two thousand miles in seventeen days and seventeen hours.

William F. Cody, "Buffalo Bill," made one of the most wonderful rides of the spectacular annals of the pony express. "While engaged in the express service, his route lay between Red Buttes and the Three Crossings of the Sweetwater. It was a most dangerous, long, and lonely trail, with perilous crossings of swollen and turbulent streams. An average of fifteen miles an hour had to be made, including change of horses, detours for safety, and time for meals. Once, upon reaching Three Crossings, he found that the rider on the

next division had been killed the night before, and he was called on to make the extra trip until another rider could be produced. This was a request, compliance with which would involve the most taxing labors and an endurance few people are capable of; nevertheless young Cody was promptly on hand for the additional journey, and reached Rocky Ridge, the limit of the second route, on time. Then he rode back to Red Buttes without a rest. This round trip of three hundred twenty-one miles was made without a stop, except for meals and to change horses, and every station on the route was entered on time. This is one of the longest and best ridden pony express journeys ever made, the entire distance being covered in twenty-one hours and thirty minutes."

The immortal Mark Twain has given us this description of the pony express rides:

"Presently the driver exclaims: 'Here he comes.' Every neck is stretched farther and every eye strained wider. Away across the endless level of the prairie a black speck appears against the sky, and it is plain that it moves. Well, I should think so! In a second or two it becomes a horse and rider, rising and falling, rising and falling, sweeping toward us, nearer and nearer, growing more and more distinct, more and more sharply defined. Nearer and still nearer, and the flutter of the hoofs comes faintly to the ear. Another instant a whoop and a hurrah from our upper deck, a wave of the rider's hand but no reply, and the man and the horse burst past our excited faces and so winged away like a belated fragment of a storm."

In the autumn of 1861 the completion of the telegraph ended the usefulness of the pony express. "Never before or since had mail been carried so fast, so far, and so long merely by horse power." But the cayuse of the plains was no match for electricity and the day of the express was done. It had been an immeasurable factor in holding together the bond of sympathy between widely distant communities and this had been national in its importance. Unfortunately, however, the in-

come was in no wise commensurate with the expenditures and the rashly splendid venture brought ruin to Russell, the man who had conceived it, and to the firm to which he belonged.

The great figures in the overland stage are Butterfield, Russell, Majors and Waddell and Ben Holladay. During the last years of the stage traffic the business became more precarious. Indian troubles consequent upon the building of the railroads made travel dangerous. New concerns started in opposition and the old firms had many powerful enemies. Captain James L. Fiske with his famous emigrant train had blazed a new way from Minnesota to Montana and he, upon his return to the east over the stage line of Ben Holladay, denounced that line of travel in unequivocal terms. Henry Villard was also a hostile critic. Nevertheless the old stage coach magnate was a remarkable man. F. P. Paxson says of him:

"Under Holladay's control the passenger and Express service were developed into what was probably the greatest one-man institution in America. He directed not only the central overland, but spur lines with government contracts to upper California, Oregon, Idaho and Montana. He traveled up and down the line constantly himself, attending in person to business in Washington and on the Pacific."

Towards the close of 1866 Holladay sold out to Wells, Fargo and Company. In May, 1869, the Union and Central Pacific Railway was completed and the overland stage was a relic of the past.

Having considered the trans-continental traffic system we shall now turn our attention to that of Montana.

Immediately after the settlement of Alder Gulch, a stage line was established by A. J. Oliver between Bannack and Salt Lake City. Not long thereafter, there was a stage coach service connecting the leading camps of the territory. The *Montana Post* of Saturday, January 20, 1866, published at Virginia City, contains a most interesting table of stage departure. It says that Smith's stage leaves for Gallatin every Monday; Oliver's to Helena,

Monday, Wednesday and Friday, fare \$25. The Overland Stage for the east leaves Sunday, Tuesday, Thursday and Saturday, fare to Salt Lake, \$75 in bankable dust.

The stage coach travel in Montana differed little from the Overland traffic. It was precarious, uncertain and dangerous. The drivers were often drunken and reckless, the roads over mountain grades were unsafe, Indians lurked in the canons, and far worse than the Indians were the road agents.

The stage stations were conspicuous for the lack of accommodations. "Dirty Woman's Ranch" was the vulgarly descriptive name of one stopping place of early days. An anecdote illustrative of the operating conditions is told of the late Col. W. F. Sanders.

On one of his political campaigns he stopped fatigued and hungry at a typical mountain station. Noticing that he did not seem to relish the meal set before him, the proprietor said:

"Colonel, ain't your egg hard enough?"

"The whole damned breakfast is hard enough," was the prompt retort.

The comfort of the passengers was a matter of small concern compared with the safe transportation of the treasure carried by the earliest coaches. The large shipments of gold dust were the coveted spoil of the road agent band. The hold-up of the stage became a matter of ordinary occurrence and often of fatal consequence.

J. X. Beidler tells this thrilling story of the robbery of a coach:

"At Virginia City about Christmas, 1863, Kinney and McCausland had a store and were doing a fine business when some trouble between them occurred and they had a quarrel and McCausland shot Kinney. McCausland was arrested and I put him in goal where he remained until the spring term and was acquitted. He then settled up his business which took some time, as he was worth lots of money and then he left Virginia City for Salt Lake in company with M. Parker, Dave Dewman, Wm. Carpenter, Wm. Brown and some others. The party had \$60,000 in gold

dust with them in the coach. When they got to Snake River they became alarmed, as things did not look exactly right—too much talking on the outside. They then thought they would hire a freight team to go through Portneuf Canon with,—kind of slip through,—and leave the coach. Frank Williams the driver of the coach assured them there was no danger,—they took his word for it and continued on the stage. Parker was sitting outside with the driver, the rest inside.

"The 6 horse big Concord coach when they had got into the canon 6 or 8 miles to a place known as Hell's  $\frac{1}{2}$  acre there was a high water road and a summer road—the driver took the lower road,—(the first time that summer). Parker saw the road agents in the willows and hollered 'Boys here they are.' The team dashed up to the road agents and stopped. Parker fired one shot at them and then fell dead. The road agents poured a volley into the coach, shooting both feet off Charley the messenger on the coach and killed three of the passengers inside.

"The team by this time had got unmanageable from so much shooting going on and started on the run and tore the tongue out of the wagon. Wm. Carpenter who was in the bottom of the coach with the three dead men on top of him lay there. Brown during this time got out and skipped to the thick brush. The robbers went through the coach and got the money and took the watches from these men. After they had all the valuables and walked away, one of the road agents said, 'I don't believe that ——— at the bottom of the coach is dead, and said he would go and fix him,—he might squeal. They went back to the coach and saw him. Carpenter said, 'Gentlemen, I am dying, don't mutilate my face,—so my wife can recognize me when I am taken to Salt Lake.' This was about 3 o'clock, P. M. There was some freight teams close at hand and they knew that Brown was in the willows so they took the swag and lit out upon their horses which were tied close by. The dead were taken care of and buried.

"When the news arrived at Virginia City it

caused a terrible excitement,—the coach came back literally filled with bullets. The Vigilance Committee were very anxious to capture the road agents and sent out several parties all over the country but without success. The driver immediately after the robbery quit working and went to Salt Lake turning up there with a heap of money,—a man who had never saved a dollar of his wages. He would buy suits of clothes for any old stage driver he would meet in town and squander money by the handful. We had him spotted. He bought a diamond ring. There was a prisoner in goal by the name of Dutch John whom we had banished for robbing Arbans' saloon in Virginia City and the Shade saloon. Dutch John was supposed to be an expert on diamonds and Frank Williams took this diamond for him to examine it. John found out from him in some way that Williams was in with the robbery in Portneuf Canon,—sent to one of Fargo's men and said that if they would help him out of goal he would tell them something. They agreed to help him out,—he then gave Williams away. Williams got on to it and pulled out for Denver. The committee at Virginia City held a council and sent Dutch Charley to Salt Lake to follow Williams. He was captured near Denver by Dutch Charley, May Reed and others."

Another stage robbery is thus described by X. Beidler:

"While running as messenger for Wells, Fargo & Co., between Helena and Corinne, 500 miles run by Concord stage and six horse stock, we went down one week and back the next, carrying down a great amount of gold dust, often three or four hundred pounds. It always seemed that the heavier the treasure aboard the thicker the road agents became and it got so dangerous to ship treasure from Helena to Corinne that the Wells, Fargo & Co., concluded to raise the percentage for carrying the treasure and put on more messengers and guards. From Pleasant Valley to Sand Hole Station in the night two of us messengers had to ride horse back, riding in advance behind or on the sides of the coach,



as the case might be, for better security to the coach, and during the day we rode on the coach. Getting to Blackrock at Portneuf canon by night,—take supper there and saddle up for the ride during the night. Mike Toby was generally my companion and a good one. On one occasion, after the extra guards had been taken off and I was making the run alone to Pleasant Valley with \$120,000 in dust and bricks, where there would be two messengers to go through the Dry Creek Lava Bed country with me during the run at night (these two men were supposed during the time they were not running with the coach to be looking out for road agents and keeping the lay of the land). Ten days previous to this trip one 'Big Nick,' a shot gun messenger had thrown up his hands and given up \$6,000 (and got his dividend) and the other man who was to accompany me was one Frank Orr, a brocky-faced thief and these men were appointed through the kindness of the division agent, he thinking they would fight.

"I had no confidence in the men and never did have as I had once arrested 'Big Nick' for making bogus gold dust at Helena, but he broke jail and got out. I was always in the habit of riding outside the coach with the driver. There were no passengers on the coach. They were generally afraid to travel with the treasure coach. At Pleasant Valley I thought I would take an inside seat and I told Frank Orr to ride outside with the driver, and 'Big Nick' I took inside with me. They kicked and growled and said that 'I always rode outside and what was the matter with me.' I told them I had been riding outside two days and nights and my eyes hurt me and I thought I would ride inside because the wind was blowing so hard. Frank said: 'There's plenty of room inside. I will ride inside too.' I ordered him to ride outside or stay behind. He asked me if I wanted him to stay back and I told him to ride outside or do so. The first run of twelve miles to Jenney's station at the mouth of Beaver Canon we went all right, and while we were changing horses, Orr and Nick were whispering near the stable

alone which was an unusual thing for messengers to do and I watched them more closely. The fresh team was hooked on and all abroad in same positions as before. It was three miles from this station to Little Dry Creek, where about all the holding up of coaches was done, and before we started I told the driver, Tom Caldwell, that there was something up and I didn't like the whispering business and that if we were halted tonight not to put his foot on the break but to hit his horses on the back or he would be killed, and that our only show would be a running fight, and told him, I will have my head and shoulders out of the coach window on your side. We had not gone over a mile before 'Big Nick' asked me 'what will we do if we are halted.' I said, 'I am getting \$250 per month to fight to save treasure and I will shoot at the first thing that crawls.' He said, 'X, I'll tell you a better plan—if we are halted, let us give up the money and ride off a half mile and come back afoot and catch the robbers.' I knew the game was up and I stuck my head out and hollered to Tom. 'Hold your lines well in hand and let them run.' The moon was full and bright as day. It was 11 P. M., and we rattled into Little Dry Creek on a good swinging trot and as we got into the creek which was on both sides walled up with rocks and a natural place made especially for road agents, a man raised up from behind a rock and hollered, 'Halt.' I was head and shoulders out of the coach. Shot gun in hand eighteen buck shot to the barrel and powder enough to send them,—hadn't the word out of his mouth before he had eighteen buckshot buried in him and I only had to shoot about ten feet. He fell backwards and both barrels of his shot gun went off as he was falling and they looked like the smoke stacks of a steamboat. The smoke from my gun blew away and there stood my next good man—another road agent and I shot him with my other load, hitting him just about the groin; he fell over and during this time the road agents on the left hand side of the coach had fired and Frank Orr had fired one shot (I don't know what

at) and 'Big Nick' had fired one shot from a needle gun from the inside. This firing had set the team on a dead run. My gun was empty and I got my revolver out, but we were out of range of the road agents. I looked around and found 'Big Nick' laying on the bottom of the stage and the team was going at a break neck pace. I hollered to Tom Caldwell the driver, 'Are you hurt outside?' He said 'no, are you hurt, on the inside?' I told him I didn't know, as 'Big Nick' was laying on the bottom of the coach. I asked Nick if he was hurt, he said 'No,' laughing and I wanted to know what he was doing down there. He said he was resting. I called him some pet names and told him we would never be in another fight together. We got to Hole in the Rock, 8 miles, in quicker time than the Utah Northern ever made it since. I telegraphed ahead to Salt Lake 'Coach attacked, road agents repulsed.' They telegraphed back for me to send the treasure on with 'Big Nick' and Frank Orr and a messenger that was sent on to meet them and I was instructed to go back and follow the road agents that were left, which I did. I got saddle horses and three good men and started on the trail, found where one man had been buried and found bandages and blood in their camp where they had fixed up the wounded men.

"The road agents got too much start on us and we only followed them two days. It was in fact impossible to track anyone in the Lava bed country. We learned that the party consisted of seven men, four at the attack and three holding the 10 horses. 'Big Nick' and Orr were discharged immediately upon my return as we could not run together any more. I afterwards met 'Big Nick' and he admitted to me that he got his dividend out of the \$6,000 previously robbed from the coach and that he and Frank were to have their 'whack' out of the \$120,000 that was aboard, but that if I would have given up the money as he suggested I would not have been killed. He said he wanted money, but didn't care to see me killed. I met Frank Orr once since, but our conversation was limited. About two months

afterwards, I was ordered to make a run up to Elko, Nevada, where I met my old friend Doc Terry and in conversation he told me he had been called to go some two months previous to see a wounded man on the Humbolt River, some twenty miles distant and that he had picked a handful of buckshot out of his groin and legs. He said he had done all he could for the patient to lessen his pain and asked the man how he got shot and he said a gun went off unexpectedly and had got the worst of it. The man died. I found out it was the second man I shot at when the coach was attacked at Dry Creek."

The transportation of gold dust was the most important consideration of early traffic. A. M. Williamson and W. F. Wheeler give the following account of that hazardous business:

"In this connection a short account of how gold was shipped out of the country will be found interesting. In those days this of itself was quite a problem for the placer miners, and was a task almost equal in importance to the discovery of gold itself. Various methods were employed, and many are the stories told of the transportation of gold, some of which, by a little stretch of imagination, have been related by newspaper correspondents who have manufactured yarns of the most romantic description, and without any regard for truth. Yet it is true that great risks and extra hazards were often incurred in sending gold dust out of Montana. From 1863, the year in which Alder Gulch yielded over ten million dollars, up to and including the year 1869, when the Union Pacific and the Central Pacific railroads were completed across the continent, with their numerous connections, the express companies charged five per cent of the value of the gold for carrying it to the states. The banks also would only pay for the gold according to its assay value, and would allow nothing for the silver it contained. After 1869 the expressage was reduced to two and one-half per cent, but still no allowance was made for the value of silver. Gold dust is seldom or never found in a perfectly pure state. Chemically pure gold is designated 1000 fine,

and the dust carried from fifty to 300 parts silver, in the thousand parts in weight. The loss was a great hardship to the miner, and a corresponding gain to the bankers or individuals who bought gold dust. This hardship ceased, however, some time after the government assay office at Helena began operations. The assayer in charge was ordered to pay the full value of all gold offered, according to its assay value, and also to pay the market price for the silver each lot purchased contained. The government also paid all express charges on the gold and silver so bought, to the general assay office in New York. The charge of assaying is merely nominal, being but one-eighth of one per cent of the lot assayed. This made a vast saving to the miner, and banks or speculators got but very little of the gold procured."

Before 1869, when the Union and Central Pacific railroads met at Ogden, the Missouri river constituted the main channel of transportation of the enormous sum of gold produced in Montana, and its natural outlet was via Fort Benton. Lieutenant Bradley, who was stationed there for several years, gives the following account of how the business was conducted. He says:

"Some of it was borne upon the persons of the returning miners—again shipped in large quantities as freight. In one instance the sum of \$1,500,000 was forwarded from Helena to Fort Benton in one shipment by private conveyance. The carelessness of the successful miner, with respect to his easily-won wealth, has been illustrated in a number of amusing anecdotes till it is familiar to all. Fort Benton was not wanting in some exhibits of this character. Gold was to be seen trundled along the streets in wheelbarrows. Packages of great value were sometimes dropped carelessly in an obscure corner and left for hours before their trustful owners again laid claim to them. Mr. I. G. Baker shows a dent in his office floor made by a package dropped through the window in this careless manner. It was so large that it required several men to handle it, and it remained two or three days

before he learned to whom it belonged. But there were others more careful of the fortunes that had come to them. There were constant applications to owners of safes for permission to make temporary deposits in them. As fast as sacks were drawn out, others were waiting to fill their places, and the most capacious safes were taxed to their utmost limits. Trade assumed extensive proportions and business was lively. From four steamboat arrivals in 1862 the number increased to forty-two boats in 1869."

As the miners were distant from Benton from about 150 to 250 miles a large wagon transportation was demanded and sprang into existence. In 1865 John J. Roe and Captain Nick Wall organized the great "Diamond R," train, which they sold out to Messrs. Carroll and Steele and Maclay and Broadwater in 1870. Then Garrison and Wyatt, Baker and Brothers, Henry A. Shodde, W. S. Bullard, M. H. Bird, Hugh Kirkendall and a score of smaller freighters covered the roads leading from Benton with their wagons, distributing to the mines the freights discharged from the steamboats, and for a time, owing to the limited means of transportation compared with its needs, freighters commanded their own terms, and some times received as high as ten cents a pound in gold for the 140 miles from Fort Benton to Helena. But this did not continue long, for in a short time freighters were plenty on the road. A. K. McClure wrote in 1867: "Just now the Territory is drained of one million of greenbacks to pay freights."

No mail route was established by the government into Montana until the latter part of 1864. Letters and newspapers were sent by express and the recipients cheerfully paid the regular charge, \$1 in gold for each document. Col. A. K. McClure writing of the mails in Montana in 1867, says:

"The irregularity of the mails in this Territory is terrible. Of the 'Tribune,' thirty copies of the daily are now due me here, and I have received but two. Of the 'Times' sent me semi-weekly since the 1st of May, I have re-



ceived but one number. Letters or papers mailed in Wells, Fargo & Co.'s mail-bags come promptly. At Salt Lake I received papers and letters through that channel before the same dates had reached Denver by mail. The government pays Wells, Fargo & Co. \$1,000,000 or so to carry the mails; but they lose so much mail-matter that business men are glad to pay them treble postage, in addition to the government postage, to insure prompt transmission of papers and letters. They carry more than half the letters from Salt Lake to California in their special mails, and have government envelopes, with Wells, Fargo & Co.'s stamp on, which are bought and used to guard against the loss or delay of mail-matter. While Wells, Fargo & Co., are permitted to have special mails, carried at a large profit, they have every inducement to confuse, delay, and lose the regular mails, so as to compel correspondents to pay them, in addition to their government compensation, twice or thrice established postal rates; and they have not been slow to avail themselves of this advantage. If they can carry letters and papers through in regular time in their own special mails, why cannot they bring the regular mails through in the same time? They have contracted to deliver them promptly, and, save when stopped by a public enemy, their failure to do so must be the result of carelessness or a want of the necessary coach-room and teams, all of which they have obligated themselves to furnish. I found at different stations on the way tons of mails piled up; and sometimes mail-bags are scattered along the road, apparently dropped off and carelessly abandoned. If Congress would have the Far West supplied promptly with mails, for which an ample sum is paid now, the right to compete with the mails must be taken from the company, and the contract enforced rigidly. But one coach has been captured by the Indians on the plains this spring, and yet tons of mail-matter have been lost. Where is it? Will the government make the inquiry in earnest?"

During the fall and winter of 1866-70 a pony express owned by William Vernon ran

from Butte and Silver Bow to Virginia City. Five cents was charged for each letter and paper.

The telegraph line from the Union Pacific at Corinne to Virginia City was completed on November 2, 1866. It was built through to Helena on October 14, 1867. Judge Cornelius Hedges states that the first dispatch announced the election of Thurman as governor of Ohio, which information proved to be incorrect! However, the telegraph had become a reality and Montana was no longer a remote and isolated country, but one within immediate communication with the extremes of the Pacific and the Atlantic shores.

Although Montana thrilled, thought to thought with the east and the west, the journey to either coast was long and difficult. The actual necessities of life, because of the freight problem, were always expensive and often scarce. The whole struggling community cried for one boon,—the railroad. Hon. Martin Maginnis who crossed the plains in 1866 from St. Paul to Last Chance Gulch has described graphically conditions in Montana at that time. He says:

"When we came down the hill at old Fort Benton and saw the steamboats at the levee, and found good supplies at the great store of Carroll & Steele, we joined in with the freight trains for Helena and found King and Gillette making a toll road through the Prickly Pear canyon and for the first time paid for the right of way. In Helena and all the contiguous camps we found a self-centered world. Prices were high and living expensive, but the gold was coming out of the sluice boxes and all went merrily on. The days were busy and the nights were lively, and barring an occasional cornering of the market, plenty of flour and groceries and dry goods, the best whiskey and the costliest wines found their way out of the packs and the wagons and into the thirsty mouths of the ultimate consumers. Towns were builded, homes erected, industries begun, and schools and churches reared. It was not until the last of the sixties, and the Union Pacific was laid from the Mississippi to the

Pacific and a new traffic line opened via Corinne, that our isolation became oppressive. The placers were becoming exhausted, the quartz ventures were not successful, or but partly so, the product of the mills was not great. The smelters soon froze up, farming was in its infancy, stock raising an experiment, our miners stampeding to White Pine or the Black Hills. Men began to talk of abandoning the country to the Indians and the game again, and those who had erected permanent and costly buildings felt as if they would mortgage half of them for railroad connections with the world."

The Northern Pacific railway surveys had been under way since 1853, but the venture was an enormous one and many difficulties, seemingly insurmountable, had delayed its construction.

The first railroad to be built into Montana was the Utah Northern. In the organization of the Utah and Northern Railroad Company, John W. Young, a son of Brigham Young, was the moving factor. While considerable local capital was invested, the upgrowth of the road was really due to Young's enlisting of two canny Scots, contractors—Joseph and Benjamin Richardson of New York. Passing through the usual stage of a receivership it came into the hands of the Union Pacific system, being bought in at foreclosure by S. H. Clark, Jay Gould's operating man. It was constructed as a narrow gauge. Young's earliest plan was to push the railroad northward into Montana. Indeed, his aim apparently was to follow with rails and ties the emigrant routes of early days, taking the Oregon trail westward from Ham's Fork in Wyoming and the Montana trail northerly from Corinne, Utah. By an act of Congress, approved March 3, 1873, his company was granted a right of way for the purpose of enabling it to "build and extend its line by way of Bear River Valley, Soda Springs, Snake River Valley and through Montana territory to a connection with the Northern Pacific Railroad." The road was to be completed within ten years after the passage of the act. By a

subsequent act, approved June 20, 1878, the privileges thus granted were modified and regranted "so as to enable the Utah and Northern Railway Company and its assigns to build their road by way of Marsh Valley, Portneuf and Snake River Valley instead of by way of Soda Springs and Snake River Valley."

Meantime, in 1875, Congress having passed a general railway right of way act, from the counties of Montana there was appointed a committee to solicit propositions from the Utah and Northern, Union Pacific and other railroads, looking to their early entrance into the territory. Thereafter, during the Montana legislative session of 1877, the Utah and Northern offered to build three hundred miles of narrow gauge railroad from Franklin, Idaho, to the Big Hole River country in Montana, the same to be completed within three years, for a consideration of \$5,000.00 in territorial bonds per mile. Replying thereto the Montana legislature suggested another route, to proceed via Fort Hall on to Helena. Meanwhile, the Utah and Northern tracks had reached northward to the Snake river and in April, 1877, its then president, Sidney Dillon, made to the governor of Montana a proposition for extension into that territory. A special session of the territorial legislature was therefore convened to consider the proposition and the leader of the upper house, Wilbur F. Sanders, as chairman of the judiciary committee, strongly advocated, in the face of much misdirected opposition, the advantages of the railway. As a matter of fact, approaching from the south it had already crossed the southern boundary of Montana and advanced ten miles northerly. Moreover, on the first of July, 1878, it had gained stability by placing a thirty year bond issue for \$4,991,000, covering among other properties 389.59 miles of road-bed from Ogden, Utah, to Silver Bow, Montana, and 56.59 miles from Butte to Garrison.

During 1880 the road reached Silver Bow, approximately 125 miles northward from the Idaho line. In 1881 a branch was completed from Butte to Garrison; this, however, was presently handed over to the Northern Pacific

by a ninety-nine year lease. The operation of the main line was under what was known as the Union Pacific system, remaining until 1889, a narrow gauge.

Perhaps the most picturesque feature in the construction of the road northward was that at Fort Hall when the adult male Indians of the Shoshone and Bannock tribes, in conference with Joseph K. McCammon, assistant attorney general acting on behalf of the United States, together with various railroad officials, granted a right of way through their premises to the Utah and Northern railroad. The agreements then entered into were officially recognized by an act of congress approved July 3, 1882.

On the first of August 1889 the Utah and Northern was consolidated with the Oregon Short Line Railway Company, and thereafter, in 1897, the two were merged into the Oregon Short Line Railroad Company.

The Utah Northern gave to Montana its first railway communication with the outer world but the Northern Pacific was the pioneer transcontinental railroad to cross its plains and mountains. Though late in its consummation the idea of the Northern route was not new. In this connection Smalley in his history of the Northern Pacific railroad says:

"When the project of a railroad across the American continent was first broached, and for many years afterward, the northern route, by way of the valleys of the Missouri and the Columbia rivers, was the only one thought of. This was the route explored by Lewis and Clark in the first decade of the century. It was known to be a route through valleys and other plains for nearly its entire distance; it crossed the Rocky mountain barriers at low altitudes; it approached the Pacific by way of the greatest river of the western coast; at its farthest limit lay the most capacious and beautiful deep-water tidal estuary to be found on the continent. It avoided the deserts lying further south, and was believed to traverse the only continuously habitable belt of country stretching from the Mississippi to the Pacific coast. Long before the epoch of rail transpor-

tation this route had been explored for military and commercial purposes by the United States government. Very soon after the railway system was introduced in the United States—indeed as early as 1835—it was advocated by Dr. Barlow. Between 1845 and 1849 it was pressed upon the attention of Congress and State Legislatures by the earnest, persistent and self-sacrificing efforts of Asa Whitney. The ideas of Whitney were taken up in 1852 by one of the ablest of the world's great engineers, Edwin E. Johnson, and given practical form and value by the aid of his genius and technical skill. All this happened before any definite business plan had been formed for building the road, and much of it long before any other route was discussed.

"The acquisition of territory from Mexico following the war of 1846-8, the gold discoveries in California and the rush of population to that region, and later certain important political considerations resulting from the War of the Rebellion, caused the support of the government to be given to the middle route. Thus the first railroad completed to the Pacific terminated at the Bay of San Francisco, instead of at Puget Sound or the mouth of the Columbia river. The northern route was long neglected. Although a grant of land was made in its behalf two years after the two companies were chartered to build the middle line, one transcontinental highway appeared to be sufficient for the time, and the one which was supported with heavy subsidies of government bonds, and large land grants, and ran to the romantic shores of the Golden state, easily secured and monopolized public interest and confidence. The northern project languished for want of support, and more than once came near being abandoned in despair by its few earnest advocates. After capital had finally been secured to begin work upon it, and its advantages had been fairly set before the public, the enterprise had to encounter fresh vicissitudes. It was overwhelmed in the financial crash of 1873, and struggled for many years after being rescued from bankruptcy to merely hold the unfinished



lines it had built. Before it could regain the confidence of capital and push forward to a connection in the Rocky mountains its widely separated 'end of track' a second Pacific road had been opened by the southern route, built by California capitalists with wealth acquired from the generosity of the government toward the first line.

"Thus the Northern Pacific railroad, though the first projected of the three great transcontinental lines, is the last to be completed. Yet time has justified the wisdom of Thomas Jefferson in causing the route it followed to be explored as the best natural highway for commerce from ocean to ocean, and justified, too, the foresight of Whitney and the engineering skill of Johnson in claiming in advance of its actual survey that it offered the best line for railroad construction and traffic."

The story of the earliest surveying parties is scarcely less romantic than that of the explorers and the trappers. These men of science, in the endeavor to project the great enterprise which should link the East and the West together, traveled over dangerous passes, braved the menace of hostile Indians and endured untold hardships in the performance of their great service to the American people.

In 1853 I. I. Stevens was made governor of the newly created territory of Washington and also placed in charge of the Northern Pacific survey. Governor Stevens left Washington for St. Louis on his new mission on May 9, 1853. There he met Major Alexander Culbertson, of the American Fur Company, with whom he arranged to have Lieutenant Mullan and a small detachment proceed west by river while he with the main force journey overland from St. Paul. Governor Stevens had been appointed commissioner by the government to assist in negotiating a treaty with the Blackfeet Indians. He was accompanied by Alfred Cummings, Superintendent of Indian affairs.

Lieutenant Mullan and his detachment reached Fort Union in advance of the overland party and waited there until their leader

joined them, improving the time by making local observations and trips of discovery.

The force under Governor Stevens' command "was recruited with reference to the varied demands of a general exploring and scientific reconnaissance." It included in addition to regular soldiers and laborers, engineers, a topographer, an artist, a surgeon and naturalist, an astronomer, a geologist and a meteorologist.

It is well to bear in mind that this was the first official trans-continental expedition since Lewis and Clark. Those first path breakers had found the way to the West; these last were completing the great work which they had begun and spanning that way with the "iron trail" which linked the Atlantic to the Pacific.

Stevens joined Mullan and his men at Fort Union and uniting forces they continued the way to Fort Benton. Governor Stevens then divided his command into two main parties to operate towards each other. He assumed personal charge of the unit which was to push westward from Fort Benton and he chose Capt. George B. McClellan, who had been recalled from Texas for the purpose, to head the expedition starting from the mouth of the Columbia and working toward the east.

Meantime Lieutenant Saxton hurried to the Bitter Root Valley to establish a supply station. He was then to cross the divide and meet the main command.

Saxton left Vancouver during the first of July. With difficulty he climbed the lofty Cascade mountains. Leaving the Dalles on July 18th, he started up the Columbia, and arrived at Fort Walla Walla on the 27th. There he secured a half-breed guide who took him "through the country of the Spokane and the Coeur d'Alene." His course was across the Snake river, thence northward to Lake Pend d'Oreille, which he crossed on the tenth of August. He reached St. Mary's mission in the Bitter Root Valley on August 28th. There he established the supply station. He left some of his men to guard the new post and proceeded to join the party under Governor

Stevens. He wrote of the country: "Nature seemed to have intended it for the great highway across the continent, and it appeared to offer but little obstruction to the passage of a railroad."

After conferring with Saxton, Governor Stevens determined to subdivide his party and hurry west with a light pack-train equipment. He detached a small force to remain at Fort Benton to make meteorological observations. A second detachment, under Lieutenant Mullan, he left at the new post in the Bitter Root Valley.

He and the main party started west on September 22d. On October 7th he left the Bitter Root for Walla Walla. On the nineteenth of the month he met McClellan who had, like Saxton, encountered difficulties in scaling the Cascade range. McClellan gave discouraging reports of the conditions in the mountains and upon his advice Stevens moved on down the Columbia, to Olympia, Washington, abandoning for the season the Northern Pacific survey.

The chief problems of the engineers were the passes of the Rocky, Bitter Root and Cascade mountains. Those left behind by Stevens continued to prosecute the work of discovery and reconnaissance. In January, 1854, Lieutenant Grover with five men and a dog-train went from Fort Benton to the Bitter Root, over Lewis and Clark's Pass at the head of the Dearborn river. The weather was bitterly cold, the thermometer registering 38 below zero.

Other small detachments under Lander, Donelson, Doty and Tinkham crossed and recrossed the great Rocky mountain range examining and comparing the different passes, while the indefatigable Lieutenant Mullan was pursuing his observations over the Little Blackfoot Pass which afterwards was given his name.

Governor Stevens made a voluminous and comprehensive report, supplemented with observations of the fauna, flora, topography, etc. etc., of the country traversed by his expedition. It was one of the first of the Pacific railway reports to be printed. Saxton says:

"From Governor Stevens' reports it would seem that his survey was a triumphal progress. To his threefold capacities as commander, governor and Indian superintendent, nature had added a magnifying eye and an unrestrained enthusiasm." He appears to have been a man capable of great achievement and possessed of inordinate vanity, which sometimes lent singular humor to otherwise grave and important affairs in which he took part.

His expedition was successful and his survey the only one from the Mississippi to the Pacific headed by a single commander. He became a strong advocate of the northern route and in his writings and public addresses earnestly supported the cause of the Northern Pacific railroad.

Five different surveys for transcontinental roads had been made. Politics, prejudice, sectionalism, personal preference entered into the struggle which occupied congress for many years. That the East and the West must be united was granted by all but by what route was the bone of contention. Jefferson Davis who was Secretary of War in 1853 used his influence to direct the course of future traffic toward the south. Others favored a central route and still others advocated the old trail of Lewis and Clark. Dr. Samuel Bancroft Barlow was one of the pioneer advocates of a railway from New York to the mouth of the Columbia. Asa Whitney was resolute in his determination to make of this dream a reality. Senator Thomas H. Benton, brother-in-law of Fremont, identified himself with the great and growing railroad movement. In 1849 he said: "Let us make the iron road, and make it from sea to sea—States and individuals making it east of the Mississippi, the nation making it west. Let us \* \* \* rise above everything sectional, personal, local. Let us \* \* \* build the great road \* \* \* which shall be adorned with \* \* \* the colossal statue of the great Columbus—whose design it accomplishes, hewn from a granite mass of a peak of the Rocky mountains, overlooking the road \* \* \* pointing with outstretched arm to the western horizon and say—

ing to the flying passengers: 'There is the East, there is India.'

The first railway across the continent was the Union Central Pacific which was completed May 10, 1869.

Josiah Perham, who had vainly attempted to secure a charter from congress for his people's company to build a road to San Francisco, "transferred himself, his organization, his arguments, and his friends *en masse* to the northern route." This unlooked-for support came at a fortunate time. Governor Stevens had been killed in battle and the Northern Pacific project was practically without a sponsor at the National Capital. Smalley writes of Perham:

"The facility with which he changed his Maine charter, his directors and stockholders, from an organization to build a railroad from the Missouri river to the Bay of San Francisco to one to build from the head of Lake Superior to some unknown port on the forest-clad shores of Puget Sound was certainly surprising. The truth is, however, the People's Pacific Railroad Company was Josiah Perham, and the men associated with him in it were his personal friends, whom he had indoctrinated with his absorbing idea that he had a special call and mission to construct a railroad across the continent.

"Mr. Perham gained the favor and friendship of Thaddeus Stevens, of Pennsylvania, at that time the most powerful man in either branch of congress. As the dictatorial leader of the dominant party in the house, Mr. Stevens shaped all important legislation in that body, and rarely failed to carry through the measures he favored, and to defeat those he opposed. It is safe to say, that without his support the Northern Pacific charter would not have been obtained during his lifetime."

After several changes and modifications a Northern Pacific bill was finally passed by congress. The report of the committee of conference was adopted by both houses and the bill was signed by President Lincoln on July 2, 1864.

"In its provisions for organizing the com-

pany, the Northern Pacific bill followed closely the bill passed two years before creating the Union and Central companies. The corporators were made a board of commissioners, and directed when and where to meet, how to organize, and where to open books for subscriptions to the stock. After two millions of dollars were subscribed and ten per cent of the subscriptions paid in, the subscribers were to elect directors, and the company, having first formally accepted the charter, was to be duly formed. The rest of the bill, however, differed widely from its prototype. The land grant, instead of being twenty sections to the mile of track, was twenty in the states of Minnesota and Oregon, and forty in the territories; but there was no provision for a subsidy in government bonds. Indeed, in order to remove all doubts from the minds of congressmen as to the possible future effects of the bill, a clause was tacked on to the land grant section providing 'that no money should be drawn from the treasury of the United States to aid in the construction of the said Northern Pacific railroad.'

"After achieving so much for the Northern Pacific, Josiah Perham, who had been made its president, died in 1868, before his great enterprise became a reality.

"J. Gregory Smith now became president. The one matter of paramount importance was the financing of the company. President Smith and the directors were anxious to obtain the assistance of the famous banking firm of Jay Cooke & Co. in selling the bonds and otherwise managing its affairs. This same firm had placed the war loans of the government. Mr. Cooke was apparently not particularly anxious to assume this new responsibility. The terms which he forced upon the company were hard.

"He insisted that the mortgage should be made applicable to the lands granted to the company, as well as to its railroad line. With the understanding that legislation for this purpose should be procured, he made a contract with the company on May 20, 1869, which was modified by a supplementary con-



tract on January 1, 1870. Let us see what the main terms of these contracts were. They provided for an issue of bonds to the amount of \$100,000,000, bearing interest at the rate of seven and three-tenths per cent. in gold. This rate was adopted by the government for its last war loan, when its credit was at the lowest ebb, for the reason that it made the interest on a \$50 bond, the smallest denomination issued, exactly one cent per day. Mr. Cooke had sold the 7-30 government loan successfully, and insisted that the Northern Pacific loan should resemble it in all possible respects.

"The banking firm credited the railroad with eighty-eight cents on the dollar for the bonds it sold, and as it disposed of them at par, its margin was a very liberal one. But the contract gave it \$200 of the stock of the company for every \$1,000 of bonds sold, which would have amounted for the completed road to about \$20,000,000, and one-half of the remainder of the \$100,000,000 of stock authorized by the charter. The twelve original proprietary interests which owned the stock were increased to twenty-four, and twelve of them assigned to Jay Cooke & Co. A considerable amount of the stock was given by the banking house to subscribers to the bonds, but in all cases an irrevocable power of attorney was taken, so that the firm, having purchased a thirteenth interest, controlled the management of the company's affairs."

The firm of Jay Cooke & Co. owned a controlling interest in the company and therefore controlled its policy. They were also "sole financial agents of the road, and the sole depository of its funds."

The actual construction work was begun in 1870. It was a herculean task, beset with many difficulties. The problem was to build two thousand miles of railroad, within a scanty limit of time and with uncertain financial resource, through a country known, for the most part, only to the aboriginal savages who roamed over it. We are already familiar with the war-fare and bloodshed which marked the course of the northern road. A contemporary

writer has truthfully stated that "the equipment resembled the materials for a military campaign more than for a peaceful survey."

Construction was begun near Duluth and it had proceeded westward as far as Bismark, North Dakota, and in the West the Puget Sound division extending from Kalama to New Tacoma, a small town on the coast, had been completed, when the whole country was shaken by the panic of 1873. The great banking establishment of Jay Cooke & Company failed. Immigration ceased and in 1875 by the wise counsel of Frederick Billings the Northern Pacific Railroad Company went into the hands of a receiver.

The Northern Pacific Company was reorganized June 24, 1881, under the leadership of Henry Villard, who became its President.

The interrupted work of construction was resumed and pushed through to completion. Finally on September 8, 1883, the Golden Spike which marked the meeting of the eastern and western units was driven by Henry Villard, in western Montana near the spot where the "advance parties of Governor Stevens' exploring expedition met in 1853, one having come from St. Paul, Minnesota, and the other from Puget Sound and Columbia River."

It was a distinguished gathering that assembled to celebrate an event of the greatest moment in the history of Montana. Not only the prominent men of the state, but also foreign noblemen interested in the enterprise, and celebrated personages from the east, among them U. S. Grant, were present.

In summing up the story of the building of the Northern Pacific road Smalley, its historian, says:

"With the completion of the main line of the road, the great project of a commercial highway to the Pacific by the valley route of the Missouri and Columbia rivers is at last realized. The trail of Lewis and Clark is now spanned by the steel rail. The enterprise of which Barlow wrote in 1834, to which Whitney gave years of earnest but fruitless effort; which enlisted the engineer-

ing talent and energy of Johnson and Roberts, and was shown to be feasible and wise by Stevens' gallant explorations; the enterprise for which Perham obtained a charter from Congress conveying the most extensive and valuable land grant ever given to any corporation, and to the prosecution of which a long line of energetic, competent men—bankers, capitalists, railway builders, engineers, lawyers, journalists and pioneers have devoted years of the best labor of hand and brain, is at last achieved. Over the unbroken line of the Northern Pacific Road, from St. Paul and Lake Superior to the broad estuary of Puget Sound, the locomotive now runs. At last the communities of the Pacific Northwest are united to the East; at last the best of the Transcontinental highways between the Atlantic and the Pacific is open to the flow of the currents of travel and commerce. Thirty years have elapsed since the government surveys were made for this line of railroad; nearly forty since it was first discussed in the press. Yet the road had been constructed in time to lead the van of advancing population through Dakota, and Montana, and from the Pacific coast into the fertile plains and valleys of Washington and Idaho, and is completed as a highway from ocean to ocean in time best to fulfill the ardent hopes of its projectors and builders."

The Northern Pacific Railway was the pioneer in furnishing rail transportation from coast to coast in the Northwest. The work of building that great highway following close upon the trail of the scout, the trapper, the stockman and the miner, made the building of all subsequent railroads less arduous, costly and hazardous.

The Northern Pacific is historically a romantic highway. It begins at the great lake where Du Luth's name perpetuates the memory of the hardy *voyageurs*, and at the head of navigation of the Mississippi, where are the Twin Cities of St. Paul and Minneapolis. It traverses the country once roamed by the buffalo and the Indian tribes. It crosses that country which, within the memory of many

now living, was firmly believed on scientific authority to be a desert impracticable of reclamation to human uses. It penetrates mountain ranges long believed to be impassable by the locomotive, and its western portion follows the trail of Lewis and Clark and the famous old "Oregon Trail."

The idea of a northern transcontinental line was born early. It was a thought of the dreamer long years before the practical man would listen to him. The first conception of a transcontinental line was of one through the northern country. The exigencies of war and politics brought a southern line into actual existence first; but this only added to the ardor of the advocates of a northern highway, and gave form and consistency to earlier dreams.

So, as early as 1864, the Northern Pacific project was launched, its charter was signed by Abraham Lincoln, and it passed from the realm of vision into that of reality. Nineteen years were to elapse, with shattering vicissitudes, before the last spike should be driven; and thirteen more after that before a period of commercial and financial readjustments permitted the solidifying of foundations, the erection of an adequate superstructure and the creation of a great industrial empire, whose rapid rise and immense productive value make it now one of the most important parts of the United States.

The Northern Pacific system today consists of 6,242 miles of road owned, and 1,351 miles of line in which it had either a half or a controlling interest, and in addition a half ownership of the great C. B. & Q. system. More than 25,000 separate owners are interested in this property, and more than 30,000 employes are on its pay rolls. In the last fiscal year passenger trains ran 11,525,851 miles, carrying passengers 649,500,000 miles; freight trains ran 9,744,534 miles, carrying 5,051,000,000 tons of freight one mile. The light rails, and cars and engines of first construction have given place to track and equipment of the best modern type. Into this actual reconstruction, which has been carried forward steadily

on permanent lines since the final reorganization of the company in 1896, have been put \$222,000,000, in addition to the cost of operating and maintaining the property. This is the machine—so far beyond all possible conception of its originators or of the enthusiasts who flocked to subscribe for the stock of the enterprise when Jay Cooke first made it familiar in almost every household as a great national undertaking. It ranks with the most important railroads of this country.

In the region through which this road runs is some of the most magnificent scenery to be found in the United States, including the Rocky Mountains, and the Cascade Range, and the country of the Olympics at the extreme western edge of the continent. On the east are the Great Lakes, and on the west Puget Sound. Four great rivers, the Mississippi on the east, the Columbia on the west, and the Yellowstone and Missouri between, give fertility to the soil and water for man and beast. At the source of one of these rivers

is our greatest National Park; the Yellowstone, famed everywhere, unique and wonderful in what it offers to the searcher for health, pleasure or scientific study of the wonders of nature.

It is doubtful if anywhere has there been an equal development in the same space of time. Thirty years is less than a lifetime of a generation. Here are marshaled a few figures which tell what thirty years have wrought in the seven states therein named. In all comparisons that may be made between these two dates, it has to be remembered that the increase is a little greater than appears. In 1880 the Territory of Dakota had not been divided, and its statistics are found only as a whole. The comparisons, therefore, are between North Dakota alone in 1910 and both in 1880. As the southern half of the territory was at that time much further developed than the northern, the true figures of growth would be greater than these:

	Population		Railroad Mileage	
	1880	1910	1880	1910
Wisconsin .....	1,315,497	2,333,860	3,155	7,475
Minnesota .....	780,773	2,075,708	3,151	8,669
North Dakota .....	135,177	577,056	1,225	4,201
Montana .....	39,159	376,053	106	4,207
Idaho .....	32,610	325,594	206	2,178
Washington .....	75,116	1,141,990	289	4,875
Oregon .....	174,768	672,765	508	2,285
Total .....	2,553,100	7,503,026	8,640	33,891

The addition to population in these states was, making allowance for the discrepancy just noted, more than five millions. This is over 200 per cent, as against an increase of 84 per cent for the whole country during the same time. The railroad mileage increased by over 25,000 miles, or practically 300 per cent. And it should not escape notice, in estimating the growth of the country in other particulars, how closely it parallels and keeps pace with the additions to transportation facilities. In fact, the latter always keep somewhat in ad-

vance, just as they did in the historical opening up of the lonesome land of the big Northwest.

In the first and greatest of all possible directions of growth, the utilization of the soil, the showing is splendid. These new people have not herded in cities, but have gone upon the ground and engaged in increasing the total of food production. The acreage of improved and unimproved farm land combined grew from 38,914,407 acres to 119,389,091, an increase of over 200 per cent. The yield of the



principal products reflects this immense addition to the ranks of agriculture. Corn is supposed to be least adapted of all the cereals to northern latitudes; yet the corn crop of these states increased nearly ninety million bushels, or 153 per cent. Wheat and oats are fairly representative grains of the American Northwest, and its agricultural advance may be measured by what has happened to them. The crop of the former increased in the three decades by nearly 240,000,000 bushels, or 288 per cent; and that of the latter by almost 294,000,000 bushels, or 284 per cent.

The list of the important products of the earth might be followed down with little change in the showing. The lumber product jumped eight billion feet, reaching a total considerably more than four times the figure for 1880, notwithstanding the slaughter of the forests of Wisconsin and Minnesota in the intervening time. If aggregated and reliable figures were available for the amount and value of the fruit crop of these states, they would make the most remarkable showing of all. Fruit grown in Montana, Idaho, Washington and Oregon is known all over the world, and is eagerly sought for by the buyers for the great European markets. This industry has made marked progress during the last ten years, particularly through all the western portion, and it is one of its important sources of wealth. Its status now could scarcely be compared with that of thirty years ago, because it was then practically non-existent as a commercial enterprise.

Irrigation is the magician's wand that has changed a considerable acreage in the Northwest from an apparent desert to land of the highest productive capacity. Where the land can be irrigated, it is far superior to the most fertile sections of the East. By the returns of the last census, the area under irrigation in the five states from North Dakota westward was 4,138,381 acres, the total area included under all irrigation projects for reclamation was 10,444,734 acres, and the total cost \$92,296,217. In desirability of location, certainty of yield and amount and value of prod-

uct, these irrigated lands are among the choicest in the country. The rapid extension of reclamation work by the United States government and by private companies is an important factor in the growth of the Northwest and one of its securest and most promising assets. Under the "dry farming" system large areas hitherto supposed to be suited to grazing only are now yielding steadily a satisfactory agricultural product.

The number and variety of the products of this section prohibit an attempt to catalogue them. Looking to its future, the agricultural resources of the country properly come first. But there is scarcely any item in the list of wealth-bringing products that does not contribute its share to the present prosperity and future promise of the American Northwest. Gold, silver, copper, lead and zinc are found in the mountainous country from the Rockies westward; coal of excellent quality abounds in ample deposits; the fisheries of the Pacific Coast have become the depot from which the world's salmon supply is drawn, and much of the halibut consumed in the Atlantic Coast is sent East by fast refrigerator service from Puget Sound ports. Every year sees new and larger stores of wealth taken from the earth and the waters of these favored states. They contain the last great supply of merchantable timber in this country. Most of their resources have been merely uncovered, not exploited or even fairly developed.

Naturally, as the country was settled and a home market was built up, manufacturing followed. It is commonly assumed that manufacturers flourish only after a community has become adult; and that the more recently populated districts must always draw their supply of manufactured goods from the factories of older states. There is enough available water power in these states to perform all the work done in the United States, with a plentiful surplus for the needs of years yet to come. The workers in their factories increased in number 49 per cent in the ten years between 1899 to 1909; and the value of their manufactured product rose over \$700,000,000, or 99-

per cent. This growth is healthily diversified. It covers many forms of manufacturing, and lends to the future a universal stimulus and an impartial promise.

Not only are men busy in improving the opportunities and turning into available wealth the natural resources of this country, as appears<sup>8</sup> from the varied records that tell a story so uniform, but both opportunity and resources are large enough to tempt and occupy millions of new people. Not within the lifetime of any man now living will the last chapters of this high-speed progress of the American Northwest be written. Not within the century that has just opened will there cease to be plenty of openings for capital, for labor, for ingenuity and for daring. It is truly a country of almost inexhaustible possibilities, a land where dreams come true.

By no means the least of the forces that have made the growth of the American Northwest one of the wonders of the age and that keep pushing it to the front today is its first-class system of transportation. All these states are in direct touch with the markets of the world. They have their centers of distribution whose sudden rise to greatness tells the story. The history of Ashland and Superior in Wisconsin; of St. Paul, Minneapolis and Duluth, Brainerd and Bemidji, in Minnesota; of Fargo, Grand Forks, Jamestown, Bismarck, Mandan, Dickinson and Beach, in North Dakota; of Glendive, Miles City, Billings, Livingston, Butte, Helena, and Missoula in Montana; of Wallace, Lewiston and Sand Point in Idaho; of Spokane, Walla Walla, North Yakima, Ellensburg, Seattle, Everett, Bellingham, Tacoma, Centralia, Chehalis, Aberdeen, Hoquiam, Cosmopolis, South Bend and Vancouver in Washington; and of Portland, Astoria, Salem and Eugene in Oregon, reads almost like fable. Here are markets, both for sale and purchase, as good as any that the country knows. The great lakes at the east furnish a water outlet to the markets of Europe; at the western verge are the Columbia River, Puget Sound, and the Pacific Ocean, with cheap freights to every port in the world.

Railroad rates have been made reasonable, because the policy of railroad managements in this part of the country has been to increase the business of their lines by increasing production and prosperity along them.

The following historical review of the Great Northern Railway Company is from the pen of its founder, Hon. James J. Hill; upon his resignation from the chairmanship of the Board of Directors of that road, July 1, 1912.

"With my resignation today of the Chairmanship of the Board of Directors ends my active official participation in the conduct of the Great Northern Railway Company. The work begun nearly forty years ago has been substantially accomplished; though its results have been extended far beyond the foresight of any one at that time. I hope that I have earned the leisure which every man looks for who has borne the burden and heat of life's day. The property whose fortunes I have directed for so many years has become an organic growth. Its future will be shaped more by the forces that govern the development of the natural resources of the country than by individual initiative. The present is a favorable time for making the change from an active part in the affairs of the Company. I will remain a member of the Executive Committee of the Board, and any services it may need from me will always be at its command. But it seems wise to begin the process of adjustment to other hands at this time, when all the outlook is fair and every change may be weighed with deliberation in the light of what is for the best interest of the property. My natural regret in relaxing the closeness of a relation covering the lifetime of a generation and closely interwoven with my own is relieved by the knowledge that the property remains in competent and able hands, and is so well fortified against possible mischance that its future must be as stable as its past.

"It seems fitting to give, at this time, to those associated with me in the management of the property, to the many thousands who have invested in it and to such part of the public as may be interested, some brief story

of the creation and progress of the Great Northern Railway System as it exists today. This is historically not unimportant as a chapter in the growth of the Northwest and of our common country. A record of events still near and vivid in my memory will serve as a note of cheer and a word of farewell.

"Nearly forty years ago the thought of a possible railway enterprise in the Northwest began to occupy my mind. It was born of experience in Northwestern transportation problems that had occupied most of my early business life, of faith in the productive powers and material resources of this part of the country, and of railroad conditions at that time. The feverish activity in securing railroad concessions in land and cash that marked the sixth decade of the last century had been followed by collapse. Doomed as these enterprises were to ultimate failure by their lack of commercial foundation and financial soundness, they were suddenly wrecked by the panic of 1873. Aside from the Northern Pacific property, the lines in the State of Minnesota most important and available if converted into real assets for the development of the Northwest were the fragments of the old St. Paul & Pacific Company. Following the panic of 1873 these were in the hands of a receiver. The holders of their securities in Holland were more anxious to recover what they could from the wreck than to put more money into its completion and improvements that must be made if the properties were to continue to be operated at all. Their value lay to some extent in what was left of a land grant, which would be valuable as soon as the country should be opened, but chiefly in the possibilities of traffic from the millions of productive acres in the Northwest to be opened to settlement by transportation facilities. Yet so great seemed the task and so uncertain the reward, in the general opinion, that any plan of acquiring and reorganizing the property was regarded as visionary in those days by most holders of capital and most men of affairs.

"After long and close study of the situation the slender beginning was made on which we

risked our all. Failure would be immediate and final disaster. My associates were George Stephen, now Lord Mount Stephen, Donald A. Smith, now Lord Strathcona, and Norman W. Kittson. We bought the defaulted bonds of these properties from the Dutch holders. The agreement with the Dutch committee was executed March 13, 1878, and practically all outstanding indebtedness was subsequently secured. The mortgages were afterwards foreclosed and the property was bought in. For those days it seemed a formidable financial undertaking. The stock of these companies aggregated \$6,500,000, and their bonded indebtedness with past due interest nearly \$33,000,000, aside from floating obligations. These had to be purchased at prices above those for which they had previously been offered in the open market. The total capitalization and indebtedness at that time of the companies taken over was approximately \$44,000,000.

"The property secured consisted of completed lines from St. Paul via St. Anthony to Melrose, a distance of 104 miles, and from Minneapolis to Breckenridge, a distance of 207 miles; and of two projected lines, one from Sauk Rapids to Brainerd and one from Melrose to the Red River at St. Vincent on the international boundary line. On these latter some grading had been done, and about 75 miles of track had been laid. There were gaps between Melrose and Barnesville, Crookston and St. Vincent, that must be filled quickly. In themselves, had it not been for the promise of the future, these were scattered tracks in a country just being settled, out of which to construct a railway system and on which to base the financing of their purchase and development.

"We advanced the money to build the Red River Valley Railroad, fourteen miles of track from Crookston to Fisher's Landing, on the Red River, making a through route by steamboat from that point to Winnipeg. While negotiations were pending and also after they were concluded but before possession could be secured through the foreclosure of mortgages,



an immense amount of work had been done. The extension from Melrose to Barnesville must be pushed, and was carried thirty-three miles, as far as Alexandria; and ninety miles were built in the Red River Valley to reach the Canadian boundary. The former was necessary to save the land grant, whose time limit, already extended, was about to expire. The latter was in addition to connect with a railroad projected by the Canadian government from Winnipeg south. As the properties were still in the hands of a receiver, an order had to be obtained from the court for the completion of the work in Minnesota with funds furnished us. Money had to be raised to build these lines and to furnish equipment necessary for their operation.

"In May, 1879, the St. Paul, Minneapolis & Manitoba Railway Company was organized to take over all these properties, whose bonds had been largely purchased, whose stocks had been secured and whose assets were to be bought in under foreclosure. It had an authorized capital stock of \$15,000,000, limited by its charter to \$20,000,000, and made two mortgages of \$8,000,000 each. George Stephen was made first President of the Company, Richard B. Angus, Vice President, and I was chosen General Manager. This placed upon me the practical conduct of the enterprise from its formal inception.

"The lines of the new system turned over to our possession on June 23, 1879, comprised a mileage of 667 miles, of which 565 were completed and 102 under construction. From the beginning its business fulfilled the expectations of its founders. The annual report for 1880 showed an increase in earning of 54 per cent, and land sales amounting to \$1,200,000. And now began the long task of building up the country. No sooner was a mile of road finished than the need of building other miles became apparent. Before Minnesota had filled up, the tide of immigration was passing even the famous Red River Valley country and flowing into Dakota. By 1880 it had become necessary to add a line down the Dakota side of the Red River, to plan for

many extensions and branches, and two local companies, building lines in western Minnesota, were purchased.

"Only a detailed history of the railroad could follow step by step the progress of track extension and the financial arrangements by which capital was furnished for these constant and always growing demands from this time on. In a brief review such as this, I can call attention only to what may fairly be called points of historic interest in the growth of what is now the Great Northern System. One of these was the provision of an eastern outlet by way of the Great Lakes. An interest was obtained in the St. Paul & Duluth Railroad Company in 1881. This, with the building of the link from St. Cloud to Hinckley, gave the necessary access to the Great Lakes, until the organization of the Eastern Minnesota in 1887 as a subsidiary company furnished a permanent outlet and terminals. I was made Vice President of the Company November 1, 1881, and on August 21, 1882, succeeded to the Presidency, a position whose duties I was to discharge for a quarter of a century. Mr. John S. Kennedy, who had joined our party after the organization of the Company, was elected Vice President. At no time have I accepted any salary for my services as President or Chairman of the Board of Directors, since I have felt that I was sufficiently compensated by the increase in the value of the property in which my interest has always been large.

"Business now grew more and more rapidly, the Northern Pacific was about completed and the Canadian Pacific was building toward the Coast. The St. Paul & Pacific Railroad was originally, as its name implied, intended as a transcontinental line. The route to be traversed was rich in fertile soils and abundance of mineral and forest resources. Quite as important, perhaps, was the fact that it admitted of the construction of a line with grades so low and curves so moderate as to make possible cheaper overland carriage than had ever been previously considered. Montana was beginning a large development of her own;

while the active growth of the North Pacific Coast, though only in embryo, could be foreseen. In 1887 the lines of the Manitoba were extended to a connection with the Montana Central. This latter company had been incorporated early in January, 1886. Realizing the importance of occupying a field in Montana which was essential to the future trans-continental line, valuable in itself and one which others were already preparing to secure, we had, with some friends, organized the company under the laws of Montana. Work was begun at once, the surveys being made in the coldest winter weather. Construction was rushed. The track was completed to Helena in 1887 and to Butte by the middle of 1888. A branch to Sand Coulee opened up the coal mines of that region, furnishing fuel for use on the Montana and Dakota divisions of the line, and for the development of the mining interests in Montana which had been obliged up to that time to bring in their coal from Wyoming. The work of extending the Manitoba line to connect with the Montana Central launched this Company upon the most active period of construction ever known in this country.

"Five hundred continuous miles were graded between April and September, 1887, and by November 18, 643 miles of track had been laid, an average rate of construction of  $3\frac{1}{4}$  miles for each working day. The annual report for that year said: 'The new mileage under construction within the period covered by the fiscal year ending June 30 and the residue of the calendar year 1887 \* \* \* amounts to the relatively large quantity of 1,443.97 miles, or 95.5 per cent of the mileage under operation at the beginning of the same fiscal year.' But this activity on the main line to the West was only one item in the extension programme. In the years between 1882 and 1888 the stone arch bridge and terminals in Minneapolis were completed; the Dakota line down the Red River was finished to a connection with the Canadian Pacific; the Casselton branch was purchased; a line was built from Willmar to Sioux Falls;

and afterward extended to Yankton; some railroads in South Dakota were bought; the Montana Central was taken over at cost, and an elevator and large terminals at West Superior were arranged for. In 1889 the line to Duluth and West Superior was completed, giving terminals and dock accommodations which today are not surpassed anywhere in the country. The total mileage operated had now increased to 3,030 miles. The Company had also begun to operate its own steamships, through the Northern Steamship Company, on the Great Lakes. These boats, which began to run in 1888 and 1889, not only afforded greater dispatch in the carriage of grain and flour from the head of the lakes to Buffalo and other lake ports, but they made the railroad independent of other lake lines. It was thus enabled to protect its patrons, and to prevent its reductions in rates from being absorbed by increases made by the lines east of its lake terminals.

"In 1889 the Great Northern Railway Company was organized, to bind into a compact whole the various properties that had grown too large for the charter limitations of the old Manitoba. It leased all the property of the latter company, and was prepared to finance the undertakings about to be completed or in contemplation. By 1893 the line was opened through to Puget Sound. In the next five or six years many improvements were made by relaying track with heavier rails and by changes in equipment and large additions thereto. Branches and feeders were built to round out the system. In 1897 a more direct line from the head of the lakes to the West was created by purchase and construction that completed a road across northern Minnesota to a connection with the main line. The taking over of the Seattle & Montana which, like the Montana Central, had been built by us to assure adequate terminals on the Pacific Coast and to enable construction to go forward from both ends of the line at once, extended the system from both Seattle to Vancouver, British Columbia. In 1889 it had entered the ore-

producing regions of northern Minnesota that was to give it a large addition to its traffic.

"Just as in the building of the Montana Central and the Seattle & Montana, it was necessary to know thoroughly the country in advance of railroad construction and to act upon that knowledge, so these ore lands in northern Minnesota had to be examined; and some of them it seemed desirable to acquire, with a view of the effect upon the future of the Company's business. In January, 1899, I purchased the Wright & Davis property, consisting of a line of railroad, some logging road and a large quantity of ore lands. The purchase for \$4,050,000 was made by me individually. My purpose was to secure the shipments of ore from these properties for the Great Northern; and the profits from the mines, if there were any profits, for the stockholders of the Company. The railroad was turned over to the Great Northern at cost. The ore property was transferred at cost to the Lake Superior Company, Limited, organized October 20, 1900, to hold in trust, together with other ore interests acquired later. A trust to administer the Great Northern Ore properties was formed December 7, 1906, under resolutions adopted by the Great Northern Company. This trust took over the ore interests acquired by me, additional ore lands subsequently secured and other properties. It issued against them 1,500,000 shares of certificates of beneficial interest, which were distributed, share for share, to holders of Great Northern stock at the time. The stockholders were thus put in possession of all the benefits accruing from the whole transaction. At the end of the last fiscal year the trustees had distributed a total of \$7,500,000 to the certificate holders; while the future value of the properties so covered, owing to the quality and accessibility of the ore and the demand of the iron industry for new supplies of raw material, must be very large.

"In 1901 the Company decided to open negotiations for the joint purchase of the Chicago, Burlington & Quincy System by the Great Northern and the Northern Pacific.

These were carried to a successful completion by the issue of joint collateral trust bonds to the amount of \$215,154,000, secured by the stock of the company acquired. Time has confirmed the wisdom of this act, by which through traffic arrangements have been simplified, and the public has gained much by the drawing together of markets and the quick and cheap distribution of products between Chicago, St. Louis and the Pacific Coast.

"It was planned through the formation of the Northern Securities Company, to form a holding concern for the control of these three great properties. The purpose was to prevent a dispersion of securities that might follow where large amounts were held by men well advanced in years and so to secure the properties against speculative raids by interests at best not directly concerned in the progress of the country served by these lines. This was declared illegal, under the Sherman anti-trust law, by a divided court, upon suit by the United States government, and the Northern Securities Company was dissolved.

"In 1907 the subsidiary companies controlled by the Great Northern including fourteen railway companies operated as a part of it, were purchased and incorporated into the Great Northern System, making of these related parts one homogeneous whole. In the same year I resigned the Presidency of the System, and became Chairman of the Board of Directors,—the office that I lay down today. The work of extension and improvement has gone forward steadily. By the construction of the Spokane, Portland & Seattle line, along the north bank of the Columbia River, the Great Northern and the Northern Pacific obtained jointly entry over their own tracks into Portland. Lines are now being constructed through eastern Oregon that will open up a large productive country. In 1909 the Burlington obtained control of the Colorado & Southern; so that the Great Northern covers, directly from Chicago, St. Paul, Minneapolis, Duluth and Superior in the east, of Puget Sound and Portland on the west, and from Galveston to Vancouver, British Columbia.



The Great Northern System has grown from less than 400 miles of the original purchase to 7,407 miles.

"I have some pride in the fact that, while constantly increasing both the volume and the efficiency of its service, the Great Northern has at the same time carried to market the products of the country at rates which have greatly developed the territory served by its lines. If the freight and passenger rates in force in 1881 had remained unchanged until 1910, the total revenue collected from both sources for the thirty years would have been \$1,966,279,194.80. The revenue actually collected was \$698,867,239.91. The saving to shippers by the rate reductions which this represents was \$1,267,411,954.89, or nearly twice the total amount received by the railroad. The average par value of its outstanding stock and bonds in the hands of the public during the same time was \$155,576,917. Rate reductions in thirty years saved to the public more than eight times the average capitalization. In other words, the railroad could have paid cash, for the entire par value of its stocks and bonds in less than every four years out of its earnings. I hope this may be considered a fair division.

"The results herein summarized could not have been obtained without the co-operation of a staff of able and devoted assistants, trained to administrative work and grounded in right methods. It was clear to me from the first that the railroad must net more for the money it expended than the returns generally accepted at the time. High efficiency could be achieved only through the work of highly efficient men working with the best appliances. The staff was built up by recognizing intelligence and merit through promotions as vacancies occurred in the Company's service, and by establishing throughout a morale that was recognized by employes from the highest to the lowest. The result has been competence and loyalty, physical efficiency and financial success.

"I shall give only a short summary of the financing of this great undertaking. The

Great Northern was built by the money furnished by its stock and bond holders with what it earned. As part of the property of the St. Paul & Pacific it obtained some fragments of a land grant in Minnesota to that company. With the proceeds of the sales of these lands nearly \$13,000,000 of bonds were retired and the annual interest charge has been correspondingly reduced. All the other transcontinental lines had received large subsidies in cash or land grants, or both. They suffered the check of financial stresses and passed through receiverships and reorganizations. The Great Northern, which includes the Manitoba, never failed, never passed a dividend, never was financially insecure in any time of panic. For thirty-three years its credit has been unimpaired and its resources equal to any demands upon them; and in times of financial distress it has been able to assist materially in moving the crops of the Northwest. The security of the investments of the holders of stock and bonds has always been a first consideration; and the success and prosperity that attend the Company today have not been purchased either by any doubtful transactions in the stock market or at cost of one dollar ever committed by man or woman to this Company in trust.

"When we obtained an option on the securities of the old St. Paul & Pacific Company, no individual or financial house in Europe or America, outside of those associated with us, would have taken the bargain off our hands. By a few it was regarded as a doubtful venture, by most as a hopeless mistake. As has been said, obligations aggregating about \$44,000,000 were capitalized at a little over \$31,000,000. The first stock issue was \$15,000,000. The increase of capitalization from that day to this has followed step by step the growth of the property, though falling far below its aggregate cost. Millions of earnings have been used in betterments and new constructions that are usually covered by the sale of stock and bonds.

"The stock of the St. Paul, Minneapolis & Manitoba was limited by its charter to \$20-

000,000. When the Great Northern was organized it took over the charter of the Minneapolis & St. Cloud Railway Company. The capital stock was made \$20,000,000, which was afterwards increased to \$40,000,000, in half common and half preferred. This was further increased to \$45,000,000 in 1893 and to \$75,000,000 in 1898, none of which was issued in common stock, but all made uniform in character and all shares having equal rights. As the addition of mileage, the purchase of many minor companies, the consolidation of all the originally separate corporations into one system, with the exchange of its stock for theirs, and the addition of equipment and betterments required, the capital stock was added to from time to time. In 1899 it became \$99,000,000; in 1901, \$125,000,000; in 1905, \$150,000,000; and in 1906, \$210,000,000, at which figure it stands today. Every dollar of this represents honest value received. But the problems of its issue and disposal, the creation of a market for securities, the safeguarding of it against attack and its maintenance as an investment attractive and secure were difficult and slow of solution. The Company had now acquired a standing which nothing in the ordinary course of events can impair.

"The issue and placing of bonds was in some respects simpler and in some more complex than the distribution of stock. At the time when the St. Paul, Minneapolis & Manitoba was organized and for many years thereafter the railroad world was governed by a code now done away with. It was the general practice to build new roads with the proceeds of bond issues. The accompanying stock was considered the legitimate property of the promoters, who were accustomed to use part of it as a bonus to the subscribers for bonds. When profits were large, stock dividends were held perfectly proper; and the general practice of railroads was to divide all profits in sight, and charge to capitalization all expenditures that could be so covered. This code and these policies were those not merely of speculators or railroad managers,

but were publicly sanctioned both as part of the necessary conduct of the business and ethically. This difference of standards has to be borne in mind constantly whenever one deals with railroad developments dating much earlier than twenty-five years ago.

"During 1878, before the road was organized, 112 miles of track were built, and more than that the year following. A large amount of equipment was bought. To cover this outlay a part of the proceeds of the second mortgage issue of \$8,000,000 was used. There was originally a limit of bond issues to \$12,000 per mile of single track road; which was found to be insufficient even for work mostly on prairie. In 1880 the Dakota Extension mortgage was authorized of which \$5,676,000 of six per cent bonds were issued from time to time, and this total of less than \$22,000,000 covered the whole bonded indebtedness of the Company down to 1883. But it by no means covered the actual expenditures for which bonds might legitimately be issued.

"The period from 1879 to 1883, when the railroad was still an experiment in the minds of most Eastern capitalists, was not a time to enlarge the volume of securities or ask outside capital to bid for them. All that this could have secured would have been some sales at much below par and an impaired credit. Yet money must be had to keep going the extension which was creating a new Northwest; and, through that, a profitable and assured future for the Company. So another method was adopted. The Company diverted to these uses the money which might have been divided as profits among the stockholders. At one time 210 miles of road were built and \$1,700,000 were spent on equipment without a bond issue. The Company became its own banker while waiting for a favorable market to be created. The stockholders temporarily renounced their profits in order to leave their money in the enterprise. But it remained their money, and their title to it was indisputable. It was costing now very much more than \$12,000 a mile to build a substantial track. In all, about \$11,000,000 of profits

were put into new construction and betterments. The stockholder of that day expected these profits to be distributed. His right to them was sanctioned by public opinion as well as by custom and law. It was recognized in 1883.

"In that year the credit foundation of the Company was broadened and its methods systematized by the authorization of \$50,000,000 consolidated mortgage bonds. Of this amount, \$19,426,000 were reserved to retire prior bonds, \$10,574,000 were to be issued immediately and the remaining \$20,000,000 were to be issued only on the construction thereafter of additional track at the rate of not to exceed \$15,000 per mile, although the cost per mile was often as high as \$25,000, and the cost of terminals added largely to this sum. Of the \$10,574,000 bonds issued on execution of the mortgage, \$10,000,000 were sold to the stockholders at par, payable ten per cent in cash, and ninety per cent in the property that had been constructed or acquired with the stockholder's money, thus returning to them \$9,000,000 of the forced loans taken from them by sequestration of \$11,000,000 of their profits during the previous years. To the stockholders the only difference was they received a portion of the legitimate earnings of the Company in the shape of bonds instead of cash, and were deprived of the personal use of it during the time that it had been used by the Company. The difference to the Company was \$2,000,000, or more, as it sold to its stockholders at par bonds which if placed on the market three years before could have been sold only at a heavy discount; besides it was an indispensable aid to immediate growth and a conservation and building up of credit. The difference to the public was not a penny either way.

"As branch lines were built or acquired their bonds were guaranteed. In 1887 an issue of \$25,000,000 on lines in Montana was authorized. Some improvement bonds issued. The extension to the Pacific Coast was financed by the issue of \$6,000,000 of mortgage bonds against the extension by the Mani-

toba Company. In 1889 the bonded debt had become \$60,985,000. The Great Northern, which now took the place of the other companies, issued collateral trust bonds, which were afterward retired from the proceeds of stock issues in 1898. It assumed the payment of bonds, principal and interest, of the companies taken into the system; and its bonded debt thus became \$125,975,909 in 1908, of which over \$28,000,000 were held as free assets in the Company's treasury. Last year the total bonds on the property outstanding in the hands of the public amounted to \$144,331,909.

"Of this total, \$35,000,000 were part of the issue of first and refunding mortgage gold bonds authorized in 1911; which brings us to the final standardization of the Company's securities and the act by which it provided against future contingencies. This issue, of \$600,000,000 in all, stands to the big systems of today as the \$50,000,000 issue of consolidated bonds did to the small system of twenty-eight years before. It creates a financial clearing house through which its several outstanding securities may be converted into one of standard form and value; and it forms in addition a reservoir of authorized credit so carefully guarded by the conditions of the mortgage that it cannot be abused or dissipated, yet so ample that it will supply all needs for probably fifty years to come. No private estate in this country is more carefully provided against the future than is the property of the Great Northern Railway Company. All prior mortgages become closed, and more than one-half of the total \$600,000,000 is to be used to redeem bonds issued under them and those issued to buy the company's interest in the Burlington. Nearly \$123,000,000 may be used to cover the cost of other properties acquired or to be acquired; while \$100,000,000 may be issued, at not to exceed \$3,000,000 per annum, to cover the cost of future construction, acquisition and betterments.

"The financial outlook of this company is as well assured as that of most governments. It has a provision made now, deliberately



and not under any pressure of necessity, for the work of years to come. That provision may be utilized in lean years and held in suspense in fat years, so as always to realize the best prices for securities and to keep the credit of the company unimpaired. No emergency can surprise it. It is financed for a period beyond which it would be fanciful to attempt to provide. And the development of its business throughout every part of the practically half a continent which it serves makes the payment of dividends on the stock as certain as that of its bond coupons. There has never been a default in either. There has never been a dollar's worth of stock or bonds issued that was not paid in cash, property or services at its actual cash value at the time. The stock has paid a dividend ever since 1882, and since 1900 the rate has remained steadily at 7 per cent.

"The occasion permits no more than this condensed statement, passing in hasty review the fortunes of the railroad enterprise for more than thirty-five years. The first phase of the Great Northern Railway System is ended. The value of the property is founded on the resources of the country it traverses. From the head of the lakes to Puget Sound this is rich agricultural land. From fifty to one hundred miles of the line run through mountain valleys, but even these are susceptible of cultivation. Barring only the actual summits of the mountain passes, the country is capable, under the best modern agricultural treatment, of multiplying its wealth indefinitely and furnishing increasing and profitable tonnage for years to come. The Great Northern is now wrought so firmly into the economic as well as the corporate body of the land as to have fitted itself permanently into the natural frame of things. So far as any creation of human effort can be made, it will be proof against the attacks of time.

"Not lightly may the relation between a man and the work in which he has had a vital part be set aside. My personal interest in the Great Northern remains as keen as ever. The

financial interest of myself and family in it is larger now than it ever was at any time in the past and any change would more probably increase than diminish it. While I shall be no longer the responsible head of the Great Northern I will contribute henceforth such counsel and advice as may seem best from one no longer holding the throttle valve or controlling the brake.

"Most men who have really lived have had, in some shape, their great adventure. This railway is mine. I feel that a labor and a service so called into being, touching at so many points the lives of so many millions with its ability to serve the country, and its firmly established credit and reputation, will be the best evidence of its permanent value and that it no longer depends upon the life or labor of any single individual."

The Chicago, Milwaukee and St. Paul Railway Company was the last of the transcontinental lines to traverse Montana. It was built through this state under the corporate name of the Chicago, Milwaukee and Puget Sound Railway Company, a Montana corporation, and upon its virtual completion, transferred the road and corporate property to the parent company. Amply financed and with the advantage of transportation facilities furnished by the older railroads of the state, its construction was rendered easy. It has opened up vast sections of agricultural land to settlement and has entered the field of competition against the Northern Pacific, Great Northern and other railroad systems.

The feature of this road which is unique in railway history is the electrification of a great portion of its line over difficult mountain country, and constitutes probably the greatest application of electric power to standard steam railroads which has yet been made. The initial installation is to cover some 450 miles. Beginning at Harlowtown, over 4,000 feet above sea level, where the mountain grades begin, the line rises gradually to Summit, the ridge of the Belt mountains, at a height of over 5,700 feet. Then downward the line takes its course to Barron,

Montana, with an altitude of about 3,900 feet, to begin another climb up the main range of the Rocky mountains to Donald, over 6,300 feet above the sea. The course is then down to St. Regis, Montana, only some 2,700 feet high. From this point the ascent over the Bitter Root mountains begins, where, at Roland, Montana, the elevation is about 4,100 feet, thence the line descends to Avery, Idaho, at an elevation of about 2,500 feet, where the end of the present electrification work is to be reached.

Efficiency and economy are the sole ends which have led the officials of the St. Paul system to expend the vast sums of money that will be necessary to complete this work. The whole stretch of 450 miles will be operated by power generated hydro-electrically by mountain streams, whose energy now is going to waste, and upon the completion of this gigantic enterprise, the cost of transporting both passenger and freight trains will be appreciably reduced.

Power will be generated at seven points, at least, by natural water power. One of these plants will be at Great Falls; three others will be near Helena; another will be on the Madison river; one will be located at Bighole, near Butte, and the seventh will be at Thompson Falls, near the western border of the state. The energy produced by these combined stations will be delivered at seven points between Avery and Harlowtown from transmission lines carrying alternating current of one hundred thousand volts.

It seems probable that actual work of installation and equipment will be commenced in 1914, and that eventually the St. Paul road will add other units to the one described.

The Butte, Anaconda and Pacific Railway Company was organized for the purpose of constructing a railroad between Butte and Anaconda to transport the ores from the Butte mines to the Washoe smelter at the latter town, and in turn, to haul timber and mining supplies to the mines. The amount of freight in both directions aggregates approximately 5,000,000 tons per year.

Recently the Georgetown branch was completed to render accessible the mines of the Georgetown and Cable districts.

The company has lately decided to electrify the lines which consists of about thirty miles of single-track main line and a total mileage of about 114 miles, including sidings, yards, smelter tracks, etc. Approximately ninety miles of the road will be electrified at present, leaving twenty-four miles of main track on the Butte hill, minor sidings, etc., to be equipped with overhead conductor at a later date. The 2,400-volt direct current system has been adopted after a careful study of local conditions and of the main line service of the Chicago, Milwaukee and St. Paul railroad. There will be two 2,400-volt sub-stations exactly alike, one located at Butte and the other at Anaconda, twenty-six miles apart. Each sub-station will contain two 1,000-kilowatt synchronous motor-generator sets. Power for the operation of the road will be obtained from the Great Falls Power Company.

The following extract from the report of the Montana railroad commission dated November 30, 1912, contains the latest official information of the railroad mileage of the state:

This table as will be noted, shows a total of 4,377.3 miles of railroad in the state, November 30, 1912. The only new construction during the year being the Butte, Anaconda & Pacific extension from Browns to Southern Cross 16.5 miles, the new line of the Gallatin Valley Railway Company from Bozeman to Menard 24.9 miles, and the Great Northern branch from Lewistown connecting with its Billings-Great Falls line at Moccasin, 29.9 miles in length. This latter, however, is not quite completed, but it is expected that the branch will be open for traffic about December 1st, 1912.

The Chicago, Milwaukee & Puget Sound Railway Company is doing considerable construction work north, east and west of Lewistown, and in response to the commission's request for a brief outline of its present status and probable date of completion, says:

"Lewiston-Great Falls line—Total distance 138 miles; grading well advanced; work has been underway since June, 1912. Will proceed all winter on tunnels and heavy cuttings and concrete structures. Expect to complete entire line by December, 1913.

"We are building our new line from Colorado Junction, to a point a short distance west of Cliff Junction, in all 14.3 miles. This we expect to have completed and in operation during the month of May, 1913.

"Lewistown-Grass Range Line: Total distance thirty-six miles; last twelve miles being graded. Twenty-four miles about ready for track laying. Expect to complete line July, 1913.

"Hilger-Dog Creek Line: Total distance twenty-four miles; under contract, grading commenced. Will proceed all winter if possible. Expect to operate by August, 1913.

"Lewistown-Roy Line: Total distance about twenty-six miles, under contract. Expect to work during winter and expect to operate by August, 1913.

"Great Falls, west via Choteau, total distance sixty-five miles; contract let; expect to work all winter on heavy portion of line, ex-

pect to complete grading and bridges by August, 1913. Unable to say when track will be laid.

"Total new mileage under contract 303; of course the estimated date of completion is approximate, and a good many contingencies may arise which may defer the completion of the line until a later date."

Mr. E. A. Tennis, vice president of the "Three Forks, Helena & Madison Valley Railroad," gives the commission the following statement:

"The Three Forks, Helena & Madison Valley Railroad Company will be built from Helena to the Yellowstone Park, a distance of about 150 miles. The first section of twenty-five miles from Three Forks to Radersburg is about ready for rails and ties, and cars should be moving not later than February 1, 1913. From Radersburg the line will be extended via Toston and the Prickley Pear Valley to Helena, and later will be extended south from Three Forks via the Madison Valley to the Yellowstone Park, thus serving a section of your state much in need of transportation facilities."

### MILEAGE OF ALL ROADS

GREAT NORTHERN		Main Line (miles)	Branch Line (miles)
From	To		
Dakota Line	Idaho Line	691.3	
Great Northern Junction	Great Falls	222.9	
Great Falls	Shelby	99.9	
Bainville	Plentywood		53.4
Pacific Junction	Great Falls		119.0
Great Falls	Butte		171.7
Lewiston	Moccasin		29.9
Armington	Neihart		38.2
Gerber	Stockett		7.8
Lewis	Sand Coulee		1.6
Great Falls	Black Eagle		4.4
Vaughn	Augusta		40.6
Virdeen	Sweet Grass		36.3
Columbia Falls	Marion		38.2
Kalispell	Somers		11.1
Rexford	Gateway		9.8
		1014.1	562.0



## NORTHERN PACIFIC

From	To	Main Line (miles)	Branch Line (miles)
Dakota Line .....	Idaho Line .....	777.	
Logan (via Butte) .....	Garrison .....	123.6	
DeSmet (via St. Regis) .....	Paradise .....	93.3	
Glendive .....	Sidney .....		55.7
Laurel .....	Red Lodge .....		44.3
Silesia .....	Bridger .....		19.7
Mission .....	Wilsall .....		22.9
Livingston .....	Gardiner .....		54.3
Manhattan .....	Anceney .....		15.1
Great Northern Transfer .....	Elkhorn .....		22.8
Rimini Junction .....	Rimini .....		16.4
Clough Junction .....	Marysville .....		12.6
Sappington .....	Norris .....		21.
Harrison .....	Pony .....		6.6
Whitehall .....	Alder .....		45.7
Drummond .....	Phillipsburg .....		25.9
Missoula .....	Darby .....		65.5
St. Regis .....	Lookout (Idaho Line) .....		38.2
		<hr/>	<hr/>
		993.9	466.7

## CHICAGO, MILWAUKEE &amp; PUGET SOUND

Dakota Line .....	Colorado Junction .....	520.	
Cliff Junction .....	Idaho Line .....	214.	
Harlowton .....	Lewiston .....		62.4
Lewiston .....	Hilger .....		18.
		<hr/>	<hr/>
		724.	80.4

## CHICAGO, BURLINGTON &amp; QUINCY

Wyoming Line .....	Huntley .....	105	
Frannie Junction .....	Fromberg .....		29.9

## OREGON SHORT LINE

Silver Bow Junction .....	Idaho Line .....	125.4	
Idaho Line .....	Yellowstone .....		9.5

## BUTTE, ANACONDA &amp; PACIFIC

Butte .....	Browns .....	31.8	
Stuart .....	Anaconda .....		8.4
Browns .....	Southern Cross .....		16.5
			<hr/>
			24.9

## HISTORY OF MONTANA

## MONTANA, WYOMING &amp; SOUTHERN

From	To	Main Line (miles)	Branch Line (miles)
Bridger .....	White Sulphur Springs .....	22.9	

## YELLOWSTONE PARK RAILWAY

Chestnut .....	Cooks Mine .....	10.4	
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## GALLATIN VALLEY RAILWAY

Bozeman .....	Three Forks .....	38.4	
Bozeman .....	Salesville .....		4.7
Belgrade Junction .....	Belgrade .....		5.2
Bozeman .....	Menard .....		24.9
			<hr/>
			34.8

## WHITE SULPHUR SPRINGS &amp; YELLOWSTONE RAILWAY

Ringling .....	White Sulphur Springs .....	22.9	
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## MONTANA WESTERN RAILWAY

Conrad .....	Valier .....	20.2	
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## GILMORE &amp; PITTSBURG R. R.

Armstead .....	Idaho Line .....	37.	
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## BIG BLACKFOOT RAILWAY

Bonner .....	McNamara's Landing .....	11.	
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## SUMMARY

	Main Line (miles)	Branch Line (miles)	Total (miles)
Great Northern Railway.....	1,014.1	562.0	1,576.1
Northern Pacific Railway.....	993.9	466.7	1,460.6
Chicago, Milwaukee & Puget Sound Ry.....	734.	80.4	814.4
Chicago, Burlington & Quincy Ry.....	105.	29.9	134.9
Oregon Short Line Railroad.....	125.4	9.5	134.9
Butte, Anaconda & Pacific Railway.....	31.8	24.9	56.7
Montana, Wyoming & Southern R. R.....	25.		25.
Yellowstone Park Railway.....	10.4		10.4
Gallatin Valley Railway.....	38.4	34.8	73.2
White Sulphur Springs & Yellowstone Park..	22.9		22.9
Montana Western Railway.....	20.2		20.2
Gilmore & Pittsburg R. R.....	37.		37.
Big Blackfoot Railway.....	11.		11.
Total .....	<hr/> 3,169.1	<hr/> 1,208.2	<hr/> 4,377.3

## CHAPTER XVII

### THE DAYS OF THE GREAT RANGE

The third great epoch in the development of Montana was the stock industry. Not only did it represent enormous wealth but it was a phase of life characteristic of the vast plains and redolent with the atmosphere of the west.

The raising of cattle in the northwest followed close upon the annihilation of the buffalo. So long as the native herds roamed the prairies there was meat, but as they diminished rapidly under the wanton butchery of the hide hunter, the railroad crews and the settlers, it was necessary to replace them with beef steers and cows.

The original home of the cattle industry on the continent was in southern Texas, eastern Mexico and California, where cattle kings ruled over great dominions. It spread to Arizona, New Mexico and then northward into Nevada, Wyoming, Montana and the Dakotas, and even to the British possessions. Wherever there was range one found the cowboy and the herd.

It has been suggested that the northern migration occurred for the same reason that governed the movement of the buffalo. Spring comes earlier in the warm South and the grass sprouts long before the snow is off the northland. Therefore at that season the herds grazed in these favorable pastures. Later as the heat became more intense and the grass withered they "drifted" north where the weather was cool and the grass was fresh. Thus autumn found thousands upon thousands of cattle ranging in Wyoming and Montana. The migration was known as the "Long Drive."

This was a well defined and established trail. It lay across the tablelands of western

Texas into Kansas and crossed the Santa Fé Trail at Dodge. It continued thence past the headwaters of the Salmon, by Fort Hays and over the Republican, then onward to the South Platte, where there was a big cow camp, Ogallala, "the rendezvous of the cowboys and the Texas rangers." From this point the "drive" followed the Platte over the Oregon Trail to Fort Laramie, then on over the Bozeman Road. At times it skirted the Black Hills and again it veered westward to the base of the Big Horn range. "The headwaters of the Powder and the Tongue, the hunting-grounds of the Crows and the Sioux, the home of the trappers and the scene of many a conflict with the Indians, were now marked by the trail of the cow." The Long Drive followed the tributaries of the Yellowstone to the Missouri, thence over the trail of Lewis and Clark to Marias river and the land of the Blackfeet—the ancient dominion of the buffalo. Here were multitudinous streams; here were rolling prairie lands and pastures of succulent bunch grass. Here, also, were cool breezes and snow-encrusted peaks shimmering against skies of burnished blue.

Five months were consumed in the journey from Texas to Montana. In 1871 more than half a million cattle came over the Long Drive. Hough, in "The Story of the Cowboy," says:

"It was a strong, tremendous movement, this migration of the cowmen and their herds, undoubtedly the greatest pastoral movement in the history of the world. It came with a rush and a surge, and in ten years it had subsided. That decade was an epoch in the West; the city of Cibola began."

Stock raising commenced in Montana on a



small scale as early as 1862. The immediate cause was the necessity for supplying mining camps with beef. The cattle thrived remarkably well and during the next two years the industry had grown to large proportions. Bands of cattle were driven in from the South, fattened on the nutritious grasses, and ranches with virtually unlimited range were established. Two factors were responsible for the great success of stock raising; first, the vastness of the range; second, the superior quality of the feed. So rapidly did this industry grow that in 1864 a bill was presented to the legislature entitled "An act concerning Marks and Brands." It was passed and approved January 31, 1865. A record of the different brands, which are equivalent to a trade-mark, with the names of the owners, was kept by the secretary of the Board of Stock Commissioners. A similar brand may be used by different individuals, but if so it must be placed on a different part of the beast and so designated in the recorder's book. A brand book is published by the Live Stock Association and each member is furnished with a copy. This made the identification of animals easy in the days when they were scattered over countless miles of territory and fenced ranges were unknown.

The state law regulating marks and brands provided that if an animal were sold, "the person who sells must vent, or counter-brand, such animal upon the same side as the original brand, which vent or counter-brand must be a fac-simile of the original brand, except that it may be reduced one-half in size; the venting of the original brand is *prima facie* evidence of the sale or transfer of the animal."

It was not long before the small stock owner was superseded by the great cattle baron and the company or "outfit." These concerns were known by their brands. The "Bar Y—," the "M—Bar," the "Two Dot" and "Two Bar" outfit were the usual designations by which a ranch was known. There was often rivalry amongst the big companies, and the cow-puncher, who would shoot at the

drop of a hat, was nothing if not loyal to his "outfit."

The tremendous bands of cattle roved at will in the summer and "rustled" in the winter, pawing through the snow for the hardy and tenacious-lived bunch grass beneath, and "drifting" before the blizzards that sweep the plain. They were not fed nor sheltered by their owners, yet the mortality was comparatively small. Only when a "chinook" came, melting the snow, and this thaw was followed by a sudden hard freeze which sealed the land with ice through which the cattle could not break, did they starve and die.

The home range was generally chosen with certain natural or artificial barriers to check the roaming of the stock, but often in their quest of forage and protection they wandered far away. Every year about the last of April or the first of May came the great event of the season—the spring round-up. Often seventy-five cow-punchers with from six to ten horses to the man took part. Almost simultaneously with the raising of cattle came the raising of horses so the "cow-puncher" and the "broncho-buster" were one and the same, and the round-up included not only beef steers and cows but horses as well. Robert Vaughn, the well known pioneer, says: "One would at first think that an army was crossing the country when these 'rough-riders' turn out in the morning. It is a wonder the many miles they cover in a day; on an average they will ride seventy to eighty miles in one day during the round-up. Many of the horses may have been but partly broken the previous winter. To see these excellent horsemen, mounting their bronchos, and see the bucking and the capers of these untamed steeds, is a circus in itself."

In the great days of the range the general round-up lasted from three to four weeks. The home range round-ups then occurred and the branding of the animals began. Vaughn describes that somewhat painful process as follows:

"The riders will gather several thousand cattle in one bunch at a given place on the

open prairie where a camp is established. Here, where they all meet, the cattle are driven into one bunch surrounded by the riders, and this is the round-up proper. The bellowing of the cows and calves is pitiful, for at first they are constantly in commotion and many of them become separated from each other; the noise they make is so awful one can hardly hear his own voice, but it is not long before each cow discovers her calf and then all is well. A fire is built near by and branding irons of all owners of cattle on the range are heated. Then the ropers will ride into the ring, lasso the young cattle by the hind feet and pull them by the horn of the saddle to where the fire is, and each calf is branded the same brand as the mother. An account of all calves and of each brand, separately, is kept, so that, at the end of the branding season, the owner can tell the number of calves branded. After getting through in one place the camp is moved to another part of the range, and so on, until the work is finished. It is hard work, but fascinating, and many seek to go on the round-up. In the same way the beef cattle are gathered in the fall and shipped east. The round-up, like the buffalo, will soon be a thing of the past."

The last round-up of importance in Montana took place in the Sin-yal-min (Mission) valley and the Little Bitter Root range, when an attempt was made to corral and ship the outlaw buffalo of Pablo's famous herd. It was a spectacular event, a revival for a brief season of the old days of the West with their picturesque episodes and adventures.

Before the coming of the Northern Pacific railway the cattle were driven hundreds of miles to the various points of shipment. "From the establishment of the stock export trade between Montana and Chicago to the completion of the Northern Pacific railroad to Helena, five routes or trails were generally adopted: First, from the Sun river ranches via Snake river to Granger, on the Union Pacific railroad, 650 miles, and thence per rail to Chicago, 1,376 miles. Second, from Sun river, via Smith and Musselshell rivers,

to Pine Bluff, on the Union Pacific railroad, 700 miles, and thence per rail to Chicago, 968 miles, a total distance of 1,668 miles. Third (1878), from Sun river to Bismarck, on the Missouri, via Blackfoot reservation, and thence per rail to Chicago, a total distance of 1,579 miles. Fourth, from Sun river across the Marias to Fargo, 800 miles, and thence per rail to Chicago, 744 miles. Fifth, from Sun river to Bismarck, via Camp Lewis, the Great Bend of the Musselshell, down the Porcupine river, and across the Yellowstone and Tongue rivers to Bismarck, via the main trail, 610 miles, and thence to Chicago, 879 miles, or a total of 1,489 miles."

The first beef driven out of Montana of which we have record was made by D. J. Hagan for Orenstein and Popper of Salt Lake City, in October, 1868. Mr. Hagan says: "The cattle were purchased of P. Largey, who was then agent for Ed. Creighton, and used in the Salt Lake market and in filling contracts along the Union Pacific Railroad. The same fall, but later, a mixed herd, consisting of steers, dry cows and heifers, were driven by Jerry Mann to Utah and sold to Major Bent, who had a twenty-four mile grading contract on the Promontory. In the following spring a band of about 200 head was driven from Beaverhead and sold to Col. Johns, of Salt Lake City. The first shipment of Montana cattle East was made by James Forbes from Ogden, in 1874. He purchased out of Mr. Kohrs' Sun River herd. The same year, a Mr. Allen purchased a large band of steers in Madison county and shipped from Granger. In 1876, Mr. Kohrs drove from his Sun River range and shipped from Cheyenne."

The estimated number of cattle on January 1, 1884, was six hundred thousand which were valued at \$21,000,000. During that year one hundred thousand were driven in, which, with the natural increase, brought the total up to eight hundred and fifty thousand head valued at approximately \$30,000,000. The text which follows gives the counties, number of cattle and their values:

Beaverhead	39,307	\$1,375,745
Choteau	119,860	4,195,100
Custer	189,769	6,642,860
Dawson	51,992	1,819,720
Deer Lodge	32,830	1,149,050
Gallatin	59,125	2,069,375
Jefferson	26,554	829,390
Lewis and Clark	47,855	1,674,925
Madison	24,050	841,750
Meagher	193,171	6,760,985
Missoula	19,152	670,420
Silver Bow	4,214	147,490
Yellowstone	53,084	1,857,940
Total	850,000	\$30,000,000

W. A. Clark in his centennial address delivered at Philadelphia in 1876 says:

"No portion of the great West is better adapted to the profitable growth of animals than this Territory. There are about forty thousand sheep and one hundred and forty-five thousand cattle grazing on the wild ranges of bunch grass, and they require but little care. Wool is not contaminated with burrs or other foreign matter, and commands a better price than the best California clip. Cattle are now driven one thousand miles to Cheyenne, on the U. P. R. R. for shipment East, and yet pay handsomely on the capital invested, the cost of production being only nominal."

The cost was, indeed, very small. The average expense in raising beef steers was from sixty cents to one dollar per annum, so a four-year-old steer ready for the stock yards represented an actual cash outlay of about four dollars. On the range he was valued at approximately \$22, and if delivered at Fort Benton or any of the three remote railway stations, he brought at least \$30. After deducting the loss of interest on the capital invested before the returns were received, all expenses and the usual losses, the average conservative profit of cattle raising in the early 80's was anywhere from thirty to forty per cent a year. It was, therefore, small wonder that immense fortunes were amassed and that the "cattle kings" were indeed rulers of huge

dominions and masters of enormous wealth. Among the great magnates of this industry were Conrad Kohrs, A. J. Davis, Flowerree, John Ming and many others.

The most important sale of cattle occurred in July, 1883, when Conrad Kohrs, for Kohrs and Bielenberg, and Granville Stuart representing Stuart and Anderson, bought of A. J. Davis, of Davis, Hauser & Company, twelve thousand head of cattle for which was paid \$400,000. "Stuart and Anderson were former owners of the herd, the sale being in fact a purchase of the two-thirds interest of Judge Davis by Mr. Kohrs for \$226,667. This is the heaviest transaction in cattle that has ever taken place in the territory, the next highest being made a few weeks previous, when the Montana Company bought of Downs & Allen the old 7,000 head of Clark & Ulm for \$235,000. By this transaction Conrad Kohrs placed himself at the head of the Montana cattle business."

"The Montana Stock Growers' Association, of which Granville Stuart was elected president in July, 1884, represents an ownership of over 500,000 head of cattle, while the E. M. S. G. Association represents capital placed at \$35,000,000."

Eastern Montana was the mecca of the cowman and the Elysium of the herds. The great ranges billowed away in tawny ripples to the horizon's rim; the grass grew and streams flowed and all seemed vast, limitless and eternal. Colonel Samuel Gorden, editor of the *Yellowstone Journal*, has given a description of the Eastern Montana range that is worth preservation. He says:

"From buffalo to range cattle is not a wide step and no doubt it was the winter feeding capacity of the range, as demonstrated by the buffalo, that suggested the idea that has since developed into the enormous range stock investment of the arid Northwest. It was one of the early legends of this particular section that the idea was suggested by the marvelous experiences in the winter of 1880-81, of a 'bull train' belonging to the 'Diamond R.' This outfit, while en route from Fort



Buford to Fort Custer and heavily laden with government stores, became snowbound on the trail, somewhere near the Crow reservation, and was abandoned by the 'whackers,' who turned the oxen loose to 'rustle.' The poor animals—never in good flesh on account of the hard work that was their continual lot—were, at the time of their abandonment, hardly able to stand up and the turn loose was practically an order for them to go off somewhere and die, and such was the fate foretold for them by the most optimistic of the employes with the train. No one could figure out how they could live with the snow three feet deep; nothing in sight but sagebrush and grease wood, and the poor beasts hardly able to stand up alone; but they were not new to these conditions and it would seem that the sudden and complete relief from daily toil had a recuperative effect far beyond the adverse power of the elements. At all events there were only a few of the sixty-odd turned loose that died, and the remainder had the effrontery to show up a few months later in a state of mind and body that was altogether foreign to the work—being both fat and frisky. The story spread and no doubt had its effect in settling in many minds the safety of winter ranging of cattle, but it cannot truthfully be claimed as the original demonstration, as for years before—'way back in the sixties—the early settlers of the central and western portion of the state had ranged cattle all the year round, with almost uninterrupted success.

"From whatever source the inspiration came, it certainly was quickly and widely known that there was a great opening for profitable investment in the range cattle business in the valley of the Yellowstone, and by virtue of its central location and its trading and banking facilities, Miles City became the center for this new business, and in a day, almost, we began to talk knowingly of range prospects and conditions and to be interested in the genus 'cowboy,' simon-pure specimens of which began to drop in on us from Texas and the Southwest. The change wrought was sud-

den and complete; all business interests now catered to the new element, and well they might, for from 1881 to 1885 the wealth that was dumped in Custer county in the shape of range cattle requires no exaggeration to make it an interesting statement. It was not alone the experienced cowmen of the southwest who had found and were eagerly taking advantage of a rich, virgin range, but eastern capitalists of the class who are always willing to take long chances for big returns, were falling over each other in their rush to get into the business. They had figured it out on a basis of one hundred per cent of calves each year, all heifers, and reproduction on the same scope from these calves—not the first year; they did give them one year of maidenhood—and a 'turn-off' each year of 'threes' and 'fours' at fancy prices, of stock that had cost nothing but the ranch expenses. It was the same principle of arithmetical progression that the blacksmith proposed in his horse-shoeing operations and was a 'cinch' from the beginning. So alluring was the 'prospectus' that in the course of two or three years there must have been half a million head of range stock in Custer county alone.

"As a majority of the 'companies' and individuals knew nothing of the business, it was essential that there should be at the head of each 'outfit' a manager or superintendent to take charge of the technical part of it. These managers were usually cowboys who had become 'top hands' on the southwestern ranges and were abundantly competent to run the herds, but were rarely good financial managers. Then there were other outfits that had for managers men who were interested in the ventures; men of good business repute at home and fully competent to run a store or a factory or an enterprise fitted to well established grooves, but as much out of place running a cow outfit as they would have been commanding an army; more so, probably. Looking backward, it is a hard guess which method was most disastrous; the manager with 'cow sense' but no idea of the value of money or the thrifty financier who

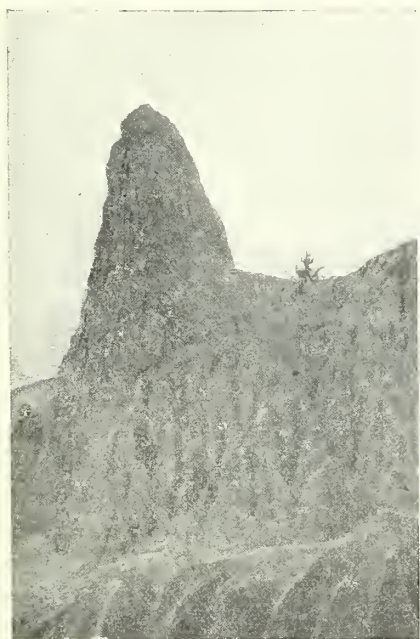
didn't know a branding iron from a poker. They were bad combinations, each of them. Things were generally run at high pressure. The cowboy manager, naturally improvident and reckless and feeling that he had good backing behind him, set the pace both in ranch and town expenditures, for his more provident tenderfoot neighbor, and the latter being here to 'learn the business' was not as slow in adopting his teachers' methods as he might have been in matters more within his ken. The result was a lively gait both on the range and in town, and to make the stockholders or owners at home feel good, the spring reports from the range would be 'Winter losses nominal; probably one or two per cent.' Now, it may be said, here, *en passant*, that experienced and conservative cowmen who have been in the business here in Montana for thirty years, hold that ten per cent is a normal yearly mortality. There are many ways of losing range stock aside from winter-killing. Wolves and spring miring are potential factors. New grass brings grief to quite a few and the 'rustler' claims his 'per cent' with reasonable regularity. While ten per cent may be a little too conservative, it is easy to believe that a mortality of five per cent could prevail year in and year out, without any unusual disaster. Well, after these 'investment herds' had been run for four or five years and a couple of beef shipments had been made out of them, it became evident to the managers that the 'book count,' based on these reports of nominal losses, would have to be revised in some way. The round-ups were not satisfactory and the owners were beginning to inquire why shipments were not larger. It is comforting to reflect on the number of reputations that were saved by the 'hard winter' of 1886-7. It was a hard winter—the latter end of it—and the worst of it came when the cattle were weak and thin and unable to stand grief, but it never killed half the cattle that were charged up to it. It came as a God-sent deliverance to the managers who had for four or five years past been reporting 'one-per-cent-losses,' and

they seized the opportunity bravely and comprehensively charged off in one lump the accumulated mortality of four or five years. Sixty per cent loss was the popular estimate. Some had to run it up higher to get even, and it is told of one truthful manager in an adjoining county that he reported a loss 125 per cent, '50 per cent steers and 75 per cent cows.'

"The actual loss in cattle was probably from thirty to fifty per cent, according to localities and conditions. The preceding two seasons had been dry; the grass was poor and the range over-stocked; conditions that, exclusive of an unusually cold and stormy February, would have wrought havoc with the weaklings. None but the older and stronger steers escaped, and these were in most cases driven by the storms so far from their ranges that it was years before the actual conditions were ascertained. The immediate result was the shrinkage of the great industry to almost nothing. The people who had been into it as a side investment rather than a business, had no stomach for further experience and the real cowmen were so crippled financially as to be kept a-guessing how to keep what they had left. As a natural consequence, things moved slowly for a year or two, but on the same principle that 'you can't keep a good man down,' it was demonstrated that a locality adapted for a special business will invite and secure that business in spite of previous disaster. The ranges of Montana are unequalled for the maturing of live stock.

"After the wholesale wiping-out referred to, it was the little fellows, the 'nesters' as they were called, who first began to show signs of vitality. These people, owning from fifty to two hundred head of stock apiece, had not lost as heavily as the larger owners for the reason that they were able to feed the weaklings and so carry them through. The beneficial results of this treatment were not lost on the larger owners, and while the idea of winter feeding a range animal would have been scoffed at by the big owners a year before, there are few outfits now that do not make provision for carrying the weak and

old through the winter by feeding. General winter feeding is, of course, not to be thought of, as the profits of the business are, in the main, based upon 'free grass.' And it is not so inhuman either—this winter ranging—as our eastern cousins imagine. Quite often the range steers will find a better shelter from the weather in the 'bad-land' breaks than in any shed or corral constructed by man, and it goes without saying, that if feed can be had on the range—and it almost always can—it is more toothsome and nutritious



BAD LANDS, EASTERN MONTANA.

to rustle, the 'dogies' are left to bellow and bawl with hunger outside of the enclosures in the hope that they will absorb enough cow sense to go out on the range and eat. If they persist in voluntary starvation until weakened, they eventually get fed, but the practice of standing around waiting for this stage is not encouraged. After the first winter they generally fall into the ways of the country and rustle.

"For years past, ever since the hard winter, in fact the condition of the 'nesters,' the granger-rancher, as he is entitled to be called, has been steadily improving. The ranges have not been overstocked by big outfits, and his holdings have gradually increased, so that, in most instances, he is now a man of means and lives in good style, and able and willing to pay for all the comforts of life attainable here. When range beef brings five cents and upward on the hoof, there is contentment written in plain characters on the countenance of the cowman, and in his reflective moods he considers the feasibility of a trip to Europe and other expeditious methods of reducing a surplus.

"While reference to the range industry is generally understood to mean cattle, there are other branches of it that are becoming prominent. Sheep ranging after some years of deep depression has revived with surprising energy and is now making quick and sizeable fortunes for all engaged in it. Horses, too, are looking up after many years of absolute lack of any value whatever. For half a dozen years prior to '98 range horses were a drug on the market and could not be given away for the reason that the recipient became at once an unfortunate object of interest to the assessor, for, while our laws provide that property shall be assessed at its cash value, and while it was well known that horses were not to be sold at any price, the tax gatherer, in some inexplicable way, fitted the law to the conditions and yearly exacted tithes from the despondent horseman, who would have been only too glad to turn over the whole bunch in payment of the taxes. In these

in its natural state than when made into hay by man's interference. It is nature's way, as demonstrated by the buffalo, and is all right for stock bred to the range. The 'states' cattle, 'dogies,' as they are called, have a hard time of it for the first winter, and if the first is a severe one, it is pretty likely to be their last, also. Being on terms of intimacy with fences and haystacks in their old homes, they cannot be induced to stay away from these evidences of civilization here, and as it is not good policy to feed any animal that is able



days breeders were able only to market the very tops of the bands and then at far below value, and they esteemed themselves lucky in doing this. War times brought an increased demand and prices began to look up. The demand has continued and prices have stiffened to such an extent that the horseman can now sit at the same table with the cowman or the sheepman without feeling that he is intruding. He has not become recklessly extravagant as yet, but is in a condition to buy all the necessities of life and some of the luxuries. The horse bred in Montana is believed to be the best of his race. Conditions of water, feed, and altitude combine for the development of great lung power and superiority in hoof and bone. Certain it is that the world knows no hardier animal than the wiry and untiring cayuse of the western plains, and, while the transmission of some of his physical peculiarities is not to be desired, it must be granted that the land that endowed the cayuse with his wonderful ability to stand punishment must act beneficially in horses of gentler blood and fairer proportions."

The raising of sheep was a later industry than the cattle and horse business. It attained no considerable importance until the coming of the railroads. With the advent of sheep on the great, free ranges hitherto controlled by the cattle companies a bitter feud grew up between the cow and sheep men. It was alleged by the former that the sheep ruined the range, shearing it clean of grass, and it was as stoutly maintained by the latter that the sheep did nothing of the kind.

A comprehensive account of the sheep industry prior to 1900 is herewith given by A. S. Wiley, president of the Custer County Wool Growers' Association:

"In Montana, sheep are usually herded upon the arid ranges of the public domain, where the rainfall is too light to admit of raising crops of grain or even the usual grasses. The winter snowfall is usually enough to fill the creeks at springtime with a rushing flood of turbid water. This flood has usually passed

by the first of May to the larger creeks and rivers, leaving the ground soaked to the depth of a foot or more.

"The sunny days that follow cause the herbage to spring up with great speed and vigor so that in early May there is generally a good crop of the early grasses. It seems as if these grasses knew just how a short a time is accorded them in which to complete their growth and develop the seed on which their continuance depends. Some of the prairie grasses come to their maturity, bearing their ripened seed during the early part of June. If May and June do not furnish abundant rains, the later grasses stop their growth, never reaching maturity, and their short blades dry up in the scorching sunshine, becoming thoroughly cured and furnishing a food for sheep of a character and quality wholly unknown to that section of the country where the rainfall is sufficient to keep vegetation growing during the summer months. In fact, these short grasses are fully equivalent as to nutriment, to rations of grain and grass in a well watered country.

"It is often the case, however, that in eastern Montana May and June bring frequent and copious rains. When this happens the later grasses, responding to the influences, furnish a larger growth of blade as well as an abundant harvest of seed, thus supplying not only feed in plenty for the grazing flocks during the summer but a plentiful supply of hay for winter use, if the snow falls so deep or the weather becomes so severe that the flocks cannot be taken out for a daily graze on the range. No one here pretends to put up enough hay to feed the sheep all winter; in fact, many a winter passes with no hay fed at all, and some there are who never put up any, depending wholly upon grazing all winter, but the consensus of opinion among sheep owners is that this course is hazardous, and that while there may be years and years when it is safe to do so, there may come any winter a series of blizzards, accompanied by snow so deep and widely distributed that flocks without hay

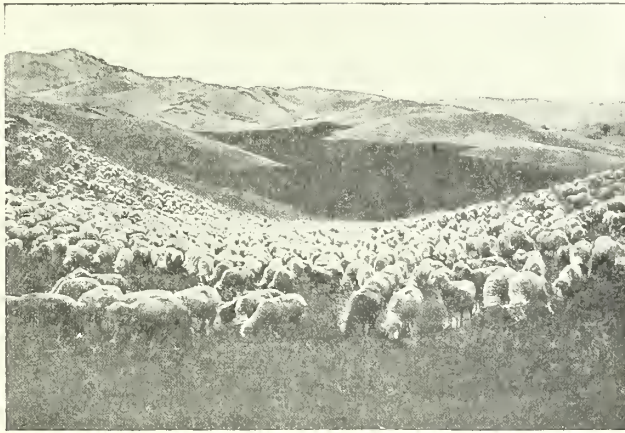
would die of starvation before the earth again became bare enough to furnish grazing.

"During the summer months the sheep have to depend for drink upon what is left in the pond holes in the creek bottoms, or upon springs or running creeks or rivers, as no rainfall can be looked for from the first of July until September or October; during the winters snow furnishes all the moisture they require. The sheep of Montana are freer from disease and of sturdier health than those in any less arid climate, while as a consequence the fiber of the wool is not surpassed in strength anywhere in the country. None but

prefer, nipping the seeds off of the tips of the grasses, cropping the various weeds, and then passing on to new pastures. I have seen sheep leave rich pasturage to feed on sage brush. The successful sheepman here is one who herds his sheep over wide ranges, constantly moving them, that they may select just what they desire. This course makes fat sheep, growing sheep, healthy sheep.

"The usual time for lambing is the early part of May. As flocks run from two thousand to five, ten, twenty, and even fifty thousand, the lambing season is a busy time.

"Shearing as a rule takes place about the



SHEEP ON THE RANGE.

perfectly healthy and vigorous sheep produce a strong fiber in wool.

"It is often said by those interested in the range cattle industry that sheep eat the grass so closely that the ranges are destroyed or badly impaired. Now, if sheep were confined to a comparatively small pasture this would be true, as eat they must, and, if necessary, they would eat the grass to the roots, but in the manner that sheep are herded on these ranges the charge is without foundation. They are not herded upon the same range long. Indeed, it is not easy to see by the appearance of the grass where they have fed. They are dainty feeders, picking out just what they

middle of June, though some favor shearing before lambing; as early as April. Most sheepmen have their sheep sheared at their own ranches by bands of professional shearers, who go from ranch to ranch through the country. Ten such experts will shear about 800 sheep in a day. Of late the shearing machine is coming into use. It seems to have satisfied those who have used it, and may supersede hand shearing altogether. The wool is sacked as fast as sheared in sacks holding about three hundred pounds. These sacks are freighted to the railroad, and there the wool press compresses three of them in a bale, in which shape it goes to market.

"Montana contains more sheep, and hence raises more wool than any other territory in the Union. Custer county had (1909) in round numbers three hundred and fifty thousand sheep, yielding over twenty million pounds of wool. Flocks show an average of something over six pounds per head; some flocks going over ten pounds each.

"There are in Montana over three million sheep; in the United States approximately forty million, yielding annually say two hundred and seventy million pounds of wool, while the annual consumption is estimated at five hundred and fifty million pounds.

"Ten years ago the flocks in Montana were chiefly composed of strong crosses of Spanish-merino blood, yielding a fine fleece of very greasy wool. At that time every effort was directed to the production of wool, wholly ignoring the mutton product, and the same was true in a measure throughout the country. As a result, the mutton produced was hardly fit to eat. Small wonder, then, that the American people ate but little mutton.

"Great impetus was given to the culture of the mutton breeds by the removal of the tariff on wool. It then being no longer profitable to keep sheep for wool raising, many went out of the sheep business, while those who remained began breeding the larger English strains, such as 'Cotswold,' 'Lincoln' and the various 'Downs,' with the result that shortly mutton became a palatable and satisfactory food, whereupon the American people at once discovered that they liked mutton, and the sales thereof mightily increased. Some seven years ago a band of fine Vermont Spanish-merino registered bucks that had cost \$30 or more each went begging and vainly sought a market here at \$5 each. Since that time the 'mutton breeds,' with larger bodies, but coarser fleeces of lighter wool, have found acceptance. Each of these breeds has its advocates. Some will have Cotswolds and no other; others prefer Lincolns; some breed Oxford Downs; some Shropshire, while some would almost as soon breed coyotes as any sheep with black face and legs; but nearly all have been breeding to these

mutton sheep, and this trend has become so strong that in some cases the fleeces have become too light and open, and a tendency to hark back to some form of merino is in evidence; not, however, to the wrinkly type. The improved merinos, Ramboulet or Delaine, nearly without wrinkles, are the strains which now find favor. This turning again to merino types is the result to some extent of the present higher prices of wool. The loss (estimated) of sixty million sheep in Australia during the past two years, a number one-half larger than all the sheep in the United States, with other causes—the tariff undoubtedly among them—has raised the price of wool to a paying basis, and it is hard to see what can prevent this advance from continuing for some years to come. Pure-blooded sheep are not to be desired on the range.

"The sheep business is not without its drawbacks. Sometimes a herder will lose several hundred sheep in a pile-up. Something causes a panic in the band and they stampede in close ranks. Now, if a steep, deep cut lies in their course, if they go, and the first to drop in are immediately covered by those next behind; these in their turn are buried in the same way, and the process keeps on until the 'cut' is filled up even with the surrounding country, when the remainder of the band pass over the fill, leaving hundreds, perhaps, of smothering sheep behind. Sometimes a wolf, having an interesting family of its own, will spend the whole night carrying off lambs to its den. Sometimes the smaller wolf—the coyote—will snatch a lamb or kill a ewe.

"The herder leads a lonely and monotonous life. With from two to three thousand sheep in his charge, he is located on some grazing ground which in summer must be near water. He lives in a tent, or rather has a tent for that purpose, but quite often he elects to place his bed upon the open plain, the bed being always enveloped in a water-proof tarpaulin or bed sheet. He has a camp stove with simple but sufficient cooking utensils, and does his own cooking. With the first dawn of day, he rises, cooks and eats his breakfast, puts up a



lunch for midday and starts his band of sheep out grazing, following them from morning till night, letting them wander at their own wills. During two to five hours in the middle of the hot days, the sheep will rest near water, after having quenched their thirst, lying down and sleeping, which example is usually followed by the herder, who with his faithful dog by his side feels that nothing wrong can occur without arousing the dog, whose perceptions and intuitive faculties far exceed those of man. The herder's work is usually light, but he must be ever vigilant, watching to prevent his flock from wide straying, watching to see that they do not get divided, seeing that no part of his band strays away, and making sure that night finds them all camped on their bed-ground. He and his dog must also see to it that no wolf, coyote or wild cat gets a chance

to prey upon the flock, for these vermin are never far away from a band of sheep. For a week at a time he may see no human face, his only company being the sheep and his dog. Once a week the camp-tender visits him, renewing his supplies, and perhaps moving his camp to new pastures.

"After all, the life of the herder is a peaceful one, 'far from the madding crowd,' free to a great degree from the petty strivings, the ceaseless annoyances, the too sharp competitions inseparable from a business life. Was it, perhaps, that this simple, peaceful, quiet pastoral life led to the selection of those herders 'who watched their flocks by night' as the first to receive the announcement of the 'good tidings of great joy' which shall be to all people?"

## CHAPTER XVIII

### THE ORGANIZATION OF MONTANA AND A HISTORY OF ITS TERRITORIAL LEGISLATION

That portion of Montana lying east of the Rocky Mountains was originally a part of that vast domain included within the Louisiana Purchase acquired by the United States in 1803. At the time of the sale, there was confessed indefiniteness as to its boundaries, but that it did not include any of the region east of the Mississippi river or any of that west of the Rocky Mountains, is now an accepted fact. It added to the United States the whole or part of thirteen commonwealths,—Arkansas, Missouri, Iowa, Nebraska, North and South Dakota, Minnesota, Kansas, Colorado, Montana, Wyoming, Louisiana and Oklahoma.<sup>1</sup>

On March 26, 1804, the congress of the United States made the following provisions for the territorial government of Louisiana. The region lying south of the 33rd degree of latitude and the lower boundary of the Mississippi territory, east of the river by the same name formed the Territory of Orleans. All the portion lying north of this line was called the District of Louisiana and was annexed to the Territory of Indiana.<sup>2</sup> The Territory of Orleans later became the present State of Louisiana. The original District of Louisiana was changed to the Territory of Louisiana in 1805, and by act of congress of June 4, 1812, the Territory of Louisiana became, on December 7th following, the Territory of Missouri. Out of this great region, the northern portion was, by act of congress, approved May 30, 1854, created into the Territory of Nebraska. It included within its confines 351,558 square

miles and was bounded on the north by the British-American line, on the south by the 40th parallel of latitude. Its western boundary was the Rocky Mountains, and it was bounded on the east, practically, by the Missouri river.<sup>3</sup> On March 2, 1861, the northern portion of Nebraska territory was organized by congress into the Territory of Dakota, and within its confines was included the region which later became sections of the Territories of Wyoming and Montana. With the creation of Idaho, Wyoming and Montana, the original boundary lines of Dakota were altered to conform to the boundary lines of the newly organized territories. Thus by successive acts of congress the Louisiana Purchase was carved into different territories and within Montana was included that portion of the original domain acquired by the United States from Napoleon which was situated east of the crest of the Rocky Mountains, and within the boundaries fixed by the organic act establishing the territory.

That portion of Montana west of the main range of the Rocky Mountains was originally embraced within the region acquired by the United States by occupation and settlement and was known as the "Oregon Country." This included what are now the States of Oregon, Idaho, Washington and parts of Montana and Wyoming.<sup>4</sup>

As early as 1820, the congress of the United States passed a resolution providing for governmental enquiry as to the situation

<sup>1</sup> The Louisiana Purchase, Frederick M. Crunden.

<sup>2</sup> Louisiana, Albert Phelps.

<sup>3</sup> Nebraska, Its Advantages, Resources, etc., Edwin A. Curley.

<sup>4</sup> Montana Hist. Soc. Cont., Vols. II, V.

of the settlements on the Pacific Ocean and as to the expediency of occupying the Columbia river. The report which resulted from the investigation that was made, claimed for the United States all the territory from the forty-second degree as far north as the fifty-third degree. It based our rights not only on discovery, exploration, and through the Florida Treaty of 1819, but also advanced our claim, for the first time, to this region by reason of the Louisiana Purchase. Upon this last named ground, there was no foundation for the contention. In McMaster's History of the People of the United States, Vol. II, page 633, this historian says:

"Never at any time did Oregon form part of Louisiana. Marbois denied it. Jefferson denied it. There is not a fragment of evidence in its behalf. Our claim to Oregon was derived, and derived solely from the Florida Treaty of 1819, the settlement at Astoria, the exploration of Lewis and Clark, and the discovery of the Columbia river by Robert Gray."

Under the provisions of the Treaty of Ghent the Astoria settlement (Fort George) was conceded by Great Britain to the United States and negotiations with England were continued to the end that our rights be determined. As a result of protracted discussion between the two countries it was proposed by the United States that the boundary line should be drawn from the northwestern extremity of the Lake of the Woods, north or south, as the case might require, to the forty-ninth parallel, thence along that parallel westward to the Pacific Ocean. England was agreeable to the proposal, westward to the Rocky Mountains, but would not agree that the forty-ninth parallel be followed further. We advanced as the basis of our rights to the disputed territory, the discovery of the mouth of the Columbia river by Captain Robert Gray in 1792, and our explorations and settlements in this region. On the other hand, England urged in its own behalf, the voyage of Captain Cook and the discoveries of Vancouver and other English navigators. As a compromise boundary line west of the Rocky Mountains, Great Britain

proposed the Columbia river with the joint right at its mouth to a harbor. This proving unacceptable to the representatives of the United States, it was agreed that, until the controversy could finally be determined, there should be joint occupancy of the region in dispute by both nations for a period of ten years. This agreement was signed October 20, 1819, the treaty between the United States and Spain not then having been concluded. During these years President Monroe and President Adams repeatedly called the attention of Congress to the expediency of establishing military posts on the Pacific within the territory claimed by us.

Information as to the fertility and productiveness of this region was gradually acquired by the country at large, and with the termination of the ten year truce, negotiations between the United States and England were renewed. Without definite settlement the controversy dragged and with lapse of time, Americans slowly settled in this region to which both England and the United States laid claim.

It is to this movement of our own people that permanent occupation under the American flag of the country embraced within the original proposal of the United States was finally brought about.

In his annual message to congress of December 5, 1843, President Tyler asserted that it was the overwhelming sentiment of the American people to hold and defend all of the country south of fifty-four degrees, forty minutes on the Pacific Coast. The tentative proposals discussed in former negotiations between England and the United States that the forty-ninth parallel be agreed upon as the boundary line were now abandoned, and "Fifty-four, forty, or fight" was the slogan that bespoke the attitude of the people of the United States. If our rights west of the Rocky Mountains were obtained through Captain Gray's discovery and through relinquishment of the Spanish claim, then, as against England, our rights were to be bounded by the northerly line passing through 54° 40'.



Though prolonged and fruitless negotiations had engendered a spirit of impatience if not belligerency, but with the proclamation of President Tyler, final terms forever settling the controversy without recourse to arms, were agreed upon, the United States, however, receding from this claim to 54°, 40', the line originally suggested by it. Upon the offer of Great Britain to accept the forty-ninth parallel and the Straits of Fuca for the northern boundary of our nation, the United States accepted the same, and the long continued controversy was ended by treaty ratified June 15, 1846.<sup>5</sup>

The Territory of Oregon was admitted to the Union on August 14, 1848. It included within its limits all that portion of Montana lying on the west side of the Rocky Mountains. By act of Congress approved March 2, 1853, the Territory of Oregon was divided, and this portion of it became a part of Washington Territory. On March 3, 1863, Idaho Territory was created out of portions of Oregon, Washington and Dakota Territories. It included all of the region that later became Montana Territory, and almost all of that country which was organized as the Territory of Wyoming. It was so vast and its settlements so few and far between, that, during the year following its creation, legislative and

judicial affairs were in a chaotic condition. The nearest legally constituted court was at Salem, the capital of Oregon, on the west, while eastward, the closest judicial tribunal was at Yankton, the capital of Dakota. White settlements in what is now Montana were confined to Bannack, Virginia City, Deer Lodge, Pioneer and Missoula, with here and there a hardy and venturesome trapper or explorer dwelling far from other human habitation. Most of the white population was in what are now the counties of Madison and Beaverhead. Local order was intermittently and crudely enforced by miners' courts, self-constituted and acting without authority of law, depending upon the whim or caprice of the community for carrying their decrees into effect. To attend the first session of the territorial legislature of Idaho, held at Lewiston in the winter of 1863-64, members were compelled to travel hundreds of miles through trackless wastes of snow, over almost unknown mountain ranges, and to suffer severest hardships in journeying to the seat of territorial government. Public sentiment, under these conditions rapidly crystallized itself into a demand for the organization of a new territory out of that created into Idaho.

Sidney Edgerton,<sup>6</sup> who had been appointed

<sup>5</sup> Montana Hist. Soc. Cont., Vol. V.

<sup>6</sup> Sidney Edgerton was born in Cazenovia, New York, August 18, 1818, his parents having removed to that place from Canton, Connecticut, shortly before his birth. His father dying when he was two years old, the family removed to Ontario county, New York, where the subject of this sketch grew to manhood, following the vocation of a builder and school teacher. In 1844 he went to Akron, Ohio, and entered the law office of Rufus P. Spaulding as a law student. Continuing to teach school for a livelihood, he succeeded finally in securing a few months' instruction in the Cincinnati Law School, and in 1846, began the practice of law in Akron. He became a supporter of the Free Soil party, and in 1856 was one of the members of the convention which formed the Republican party. In 1858 he was elected as a representative to Congress from the 18th Ohio district on the Republican ticket and in 1860 was re-elected. On leaving Congress he was appointed Chief Justice of the Territory of Idaho by Abra-

ham Lincoln. On June 2, 1863, he left Akron, Ohio, for the new territory accompanied by his family and his nephew, Wilbur F. Sanders, who also took his family with him to seek his fortune in the unknown wilds. They went to St. Joseph, Missouri, thence up the Missouri river to Omaha, where they outfitted, and thence by ox-teams to Bannack, Idaho, arriving September 18, 1863. Judge Edgerton reported to Governor Wallace of Idaho and waited for the territorial executive to designate the courts, but no court was organized within the district to which he was assigned. At a meeting of citizens of Bannack and the city of Virginia, he was selected to go to Washington to secure the creation of a new territory. As recounted in the text of this chapter, with the organization of Montana, he became its first governor. The following spring, President Lincoln was assassinated and during the political disturbances which followed the accession of Andrew Johnson to the presidency, it became necessary for Governor Edgerton to go east in behalf of the interests of Montana. The territory was

by Abraham Lincoln as the first Chief Justice of the Territory of Idaho, was selected at a meeting of the citizens of Virginia City and Bannack to go to Washington in behalf of the movement to secure the division of Idaho and the creation of a new territory. Leaving about the middle of January, 1864, he journeyed with pack animals from Bannack to Salt Lake City, Utah, and thence by stage and railroad to Washington, D. C. The weather was intensely cold and the dangers of the trip were augmented by the fact that he carried large quantities of gold nuggets subscribed by the citizens not only to defray the expenses of the journey, but also to exhibit to the eyes of members of congress, and thereby to impress them with the great mineral wealth of the vast and almost unknown region whence he came. During the discussion of the proposed bill for the organization of the new territory, there was much controversy over what its boundary lines were to be. Judge Edgerton, who, as a former member of Congress from Ohio, was well known in Washington, convinced the committee on territories in charge of the bill that the western boundary line should be the Bitter Root Range, then considered all but impassable, instead of the main range of the Rocky Mountains. Thus there was saved to Montana all that fertile and rich region situated between these two mountain ranges.<sup>7</sup>

inadequately provided with necessary funds with which to pay its expenses of government. During the early part of Governor Edgerton's administration, he with the assistance of a few other residents had advanced money out of their own pockets to pay pressing debts incurred in the administration of territorial affairs. General Thomas Francis Meagher was secretary of the territory and became acting governor during the absence of Mr. Edgerton. In 1865, Governor Edgerton felt that it was his duty to return to Ohio to enable his children to receive the benefits of schools which did not exist in Montana, and in September of that year he set out across the plains to return east. Once more established in Akron, Ohio, he continued to practice law actively almost to his death on July 19, 1900, when he passed away at the age of eighty-two years. No more fitting tribute can be paid to him than that found in

The bill organizing the territory was finally passed by both branches of congress on May 24th and on May 26, 1864, it was signed by President Lincoln and the new territory admitted to the Union.

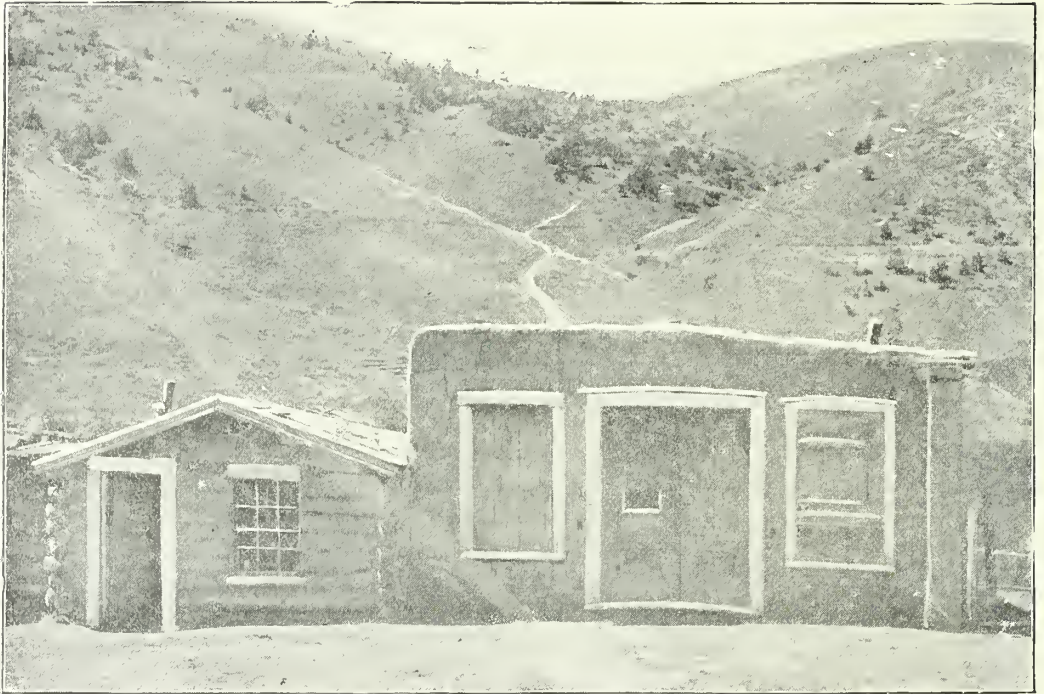
As bounded by the act providing for its organization and temporary government, it included all that region commencing at a point formed by the intersection of the twenty-seventh degree of longitude west from Washington with the forty-fifth degree of north latitude; thence due west on the forty-fifth degree of latitude, to a point formed by its intersection with the thirty-fourth degree of longitude west from Washington; thence due south along the thirty-fourth degree of longitude, to a point formed by its intersection with the crest of the Rocky Mountains; thence following the crest of the Rocky Mountains northward to its intersection with the Bitter Root Mountains, thence northward, along the crest of the Bitter Root Mountains, to its intersection with the thirty-ninth degree west from Washington; thence along the thirty-ninth degree of longitude northward to the boundary line of the British possessions; thence eastward, along that boundary line, to the twenty-seventh degree of longitude west from Washington; thence southward, along the twenty-seventh degree of longitude, to the place of beginning.<sup>8</sup>

the dedication of the Codes published by his nephew in 1895, wherein Col. Sanders says:

"I dedicate this volume, which is the ripest fruit of the moral and intellectual life of Montana, to the Honorable Sidney Edgerton, the first Chief Justice of the Territory of Idaho and the first Governor of the Territory of Montana, whose title to these offices was based upon the discriminating choice of Abraham Lincoln; and whose patriotism and devotion to order and law in times of peril was a tower of strength to that band of dauntless pioneers, who spoke, and it was done, who commanded, and it stood fast, and who in every vicissitude of fortune wherever dispersed hold him in loyal and affectionate memory."

<sup>7</sup> Montana Hist. Soc. Cont., Vol. III.

<sup>8</sup> Organic Act of Congress creating the Territory of Montana, approved May 26, 1864.



CABIN WHERE FIRST LEGISLATURE WAS HELD



The 27th degree of longitude west from Washington, employed in the foregoing description, is equivalent to the 104th degree of longitude from Greenwich.

President Lincoln soon after appointed Judge Edgerton the first governor of the territory and he was commissioned June 22, 1864, news of his appointment reaching him at Salt Lake City, Utah, while he was on his return to Bannack.

Upon the organization of Idaho in 1863, and at the first session of the legislature of that territory, an act was passed and on January 16, 1864, approved, establishing the counties of Missoula, Deer Lodge, Dawson, Beaverhead, Madison, Jefferson, Choteau and Big Horn.<sup>9</sup> The organic act creating the Territory of Montana empowered the governor to lay off necessary districts for members of the council and house of representatives, and also provided that the first election should be held at such time and places and be conducted in such manner both as to the persons who should superintend such election and the returns thereof, as the governor should appoint and direct. Accordingly, Governor Edgerton issued a proclamation on September 22, 1864, calling for the first election in the territory to be held on Monday, October 24, 1864, and apportioning the territory into council and representative districts and designating the number of councilmen and representatives to be elected from each. In establishing these districts he recognized the counties established by the first Idaho legislature, and which were within the boundaries of the new Territory of Montana, insofar as they had any population to be represented in the Montana legislative assembly. The counties with population justifying representation were Missoula, Deer Lodge, Beaver Head, Madison, Jefferson and Chouteau. In the counties of Dawson and Big Horn there were so few qualified persons entitled to representation that they were not recognized as distinct election districts by

Governor Edgerton in the proclamation and apportionment but were deemed part of Madison county for representation purposes. The districts from which members of the first legislative assembly were to be elected and the apportionment allotted to each under the governor's proclamation were as follows:

Missoula county, one member of the house of representatives; Deer Lodge and Chouteau counties, one member of the house of representatives; Jefferson county, three members of the house of representatives; Beaver Head county, two members of the house of representatives; Madison county, together with all portions of the territory not included in any of the foregoing counties, six members of the house of representatives; Missoula, Deer Lodge and Chouteau counties, one member of the council jointly; Jefferson county, one member of the council; Beaver Head county, two members of the council; Madison county, and all other portions of the territory not included in any of the foregoing counties,—three members of the council.<sup>10</sup>

The act of congress establishing the territory provided that the legislative assembly should hold its first session at such time and place in said territory as the governor thereof should appoint and direct, and that at said session, or as soon thereafter as they should deem expedient, the governor and legislative assembly should proceed to locate and establish the seat of government for said territory at such place as they might deem eligible, provided that the seat of government fixed by the governor and legislative assembly should not be at any time changed except by an act of the said assembly, duly passed and which should be approved after due notice, at the first general election thereafter, by a majority of the legal votes cast on that question. The first session of the assembly, accordingly, was held at Bannack, the then capital, convening, December 12, 1864, and adjourning, February 9, 1865.

Robert Lawrence, from Madison county, was chosen as president of the council and

<sup>9</sup> Session Laws, 1st session, Idaho Legislative Assembly.

<sup>10</sup> Proclamation of Governor Sidney Edgerton.

George Detwiler, from Jefferson county, was chosen as speaker of the house of representatives. The council had a total of seven and the house a total of thirteen members, the maximum number provided by the organic act for the first session of the legislative assembly. The legislative power granted to the territory by the Organic Act extended to all rightful subjects of legislation consistent with the constitution of the United States and the provisions of the act itself, and, of necessity, the laws passed at the first session were voluminous and important.

An act to regulate proceedings in civil cases in the courts of justice of the territory was passed. The act providing for the organization of the territory vested the judicial power of the territory in a supreme court, district courts, probate courts and in justices of the peace, and divided the territory into three judicial districts. Pursuant to the authority given, this session enacted a law establishing these courts and prescribing the jurisdiction thereof. A Criminal Practice Act was passed, providing for the indictment and trial of offenders, defining offenses punishable thereunder and the penalties to be imposed. A Probate Act relating to the estates of deceased persons, minors and incompetents, and an act relating to executors and administrators and to guardians and wards were passed. One of the most important laws enacted by this assembly was that incorporating the Historical Society of Montana, the incorporators of which were H. L. Hosmer, C. P. Higgins, John Owen, James Stuart, W. F. Sanders, Malcolm Clark, F. M. Thompson, William Graham, Granville Stuart, W. W. DeLacy, C. E. Irwin and C. S. Bagg. The seat of government was by an act approved February 7, 1865, located at the city of Virginia, pursuant to the authority granted the legislative assembly by the act of congress providing for the organization of the territory. This town was originally called Varina after the name of the wife of Jefferson Davis.

Besides general laws of the nature outlined in the foregoing titles of bills that were passed

at this session, there were adopted many laws to cover the peculiar exigencies of the times and to meet the unusual conditions and environments of the people. As spurious gold dust was in circulation, an act to prevent its counterfeiting was passed. Not until February 7, 1865, was there any law concerning divorces, or providing grounds for which a divorce could be judicially decreed, and during this session, no less than nine special legislative acts were passed dissolving the bonds of matrimony between husbands and wives. Acts reimbursing those who had pursued and captured road agents when only miners' courts held sway, were passed in several instances. Without general legislation enabling industrial and commercial enterprises to be incorporated, almost one hundred private charters were granted to mining companies, ditch companies, railroad, townsite, toll, bridge, ferry and wagon load companies. This character of legislation, monopolistic in tendency, called forth the denunciation of the congress of the United States, which, under an act approved March 2, 1867, provided that the legislative assemblies of the Territories of the United States should not, after the passage of such act, grant private charters or special privileges, but they might, by general incorporation acts, permit persons to associate themselves together as bodies corporate for mining, manufacturing and other industrial pursuits. Such a general incorporation act was passed by the third legislative assembly of the territory, and approved December 10, 1866. At subsequent sessions of the assembly most if not all of the acts passed by the first session granting special privileges to the individuals who had secured corporate franchises at the hands of the first legislative assembly were repealed. To enable the affairs of the territory to be administered in accordance with the rules of law, rather than in the manner that had prevailed theretofore, much other legislation was enacted. An act relating to the discovery and location of gold and silver leads, supplementary to the federal laws, was passed. The first Monday of November was fixed as the date upon which the legisla-

tive assembly should thereafter convene. Laws were passed relating to the mortgaging of real and personal property; concerning negotiable instruments; the rights of occupants of the public domain, except as against the United States, were protected; the office of district attorney for each of the three judicial districts was created. A law against gambling and betting was passed. The monopoly of fords and river crossings was prohibited. A law against the carrying of concealed deadly weapons was enacted. Laws providing for the appropriation of the waters of the territory and the irrigation of land were adopted. A territorial election law was provided, and the compensation of territorial officers fixed. Certain persons were designated as those authorized to solemnize marriage. Laws concerning the locations of mining tunnels, relating to marks and brands, jails and prisoners, fishing, the collection of revenue, vacancies in the legislative assembly, the duties of territorial officers, the support of the poor and concerning joint rights and obligations, were passed. A common school system for the territory was established. A statute providing for the time for the commencement of actions was enacted. Appropriate legislation applicable to conveyances, printing of the territorial laws, providing for the payment of fees of jurors and witnesses, concerning weights and measures, fraudulent conveyances and contracts, the collection of licenses, and other laws essential to the welfare of the newly created territory were provided. Of much importance was the act creating and defining the boundaries of the counties of Missoula, Deer Lodge, Beaver Head, Madison, Jefferson, Edgerton, Gallatin and Choteau, providing that all the remaining portion of the territory not included in the counties named, should be known as Big Horn county; and providing that the people of these several counties might locate the county seats of their respective counties by a vote at the first general election to be held in the territory.<sup>11</sup>

<sup>11</sup> Session Laws, 1st Session, Montana Legislative Assembly.

The organic act as noted, provided that the first session of the legislative assembly should consist of a council of seven members, whose terms of service should continue two years, and of a house of representatives of thirteen members whose term of service should continue one year. As we have seen, these were elected on October 24, 1864. The act also provided that the first legislative assembly should prescribe by law the time, place and manner of holding elections, and the apportioning of the representation in the several counties. The assembly, instead of complying with these provisions of the organic act, and of gradually increasing its members to thirteen councilmen and twenty-six representatives, passed a bill defining the districts, apportioning the members of the assembly among them, and included therein the provision to increase at once the council to thirteen and the house to twenty-six members. The effect of the bill was to fix the maximum representation allowed by the organic act, and this could not thereafter be increased to meet future expansion in population. The bill was vetoed by the governor and in so doing he gave his reasons for his action. The vote of the various precincts of the territory at the election held October 24, 1864, showed that 75 per cent of the vote of the territory was in Alder gulch in Madison county, but considering the fact that the residence of the inhabitants of the gulch was temporary and shifting, Governor Edgerton, in apportioning the members of the first session, had distributed the memberships for that session over the various counties or districts made up by him without strict regard to a very loose and approximate census that had been taken under his supervision and the imperfections of which he knew. The apportionment bill as passed by this session and containing the provisions outside of the scope of authority granted by the organic act, as recited, used the vote as shown at the election held on October 24th, thereby giving an overwhelming majority in both branches of the assembly to Madison county. Governor Edgerton did not think such appor-



tionments were justified by the existing condition of affairs and for the foregoing reasons vetoed the bill. It was his belief that the subject would be taken up again by the assembly and the objectionable features eliminated, but the assembly took no further action during the balance of the first session, and adjourned, without passing any apportionment bill whatever. As a result of this failure to pass necessary legislation on the subject, an election of representatives in 1865 was impossible. In the fall of 1865, Governor Edgerton returned to the East and Secretary Thomas Francis Meagher,<sup>12</sup> on whom devolved the duties of executive, assumed the prerogatives of the office until the arrival of Governor Green Clay Smith in the fall of 1866. In this condition of affairs, an acrimonious controversy arose between Acting Governor Meagher and his adherents and their opponents as to the status of the members of the house of representatives who had been elected to the first legislative assembly. It was urged by the latter that the legislative functions of the mem-

bers of the house of representatives had lapsed on October 24, 1865, one year having expired from the date of their election, and that by reason of the failure of the first session to carry out the provisions of the Organic Act by passing an apportionment bill, the territory was without a law-making body. This was denied by Meagher and his supporters. At this time there was a sentiment of a portion of the inhabitants of the territory in favor of a convention to be had for the purpose of having Montana admitted as a state, and in November, 1865, a number of citizens favorably inclined to a state convention addressed a communication to Acting Governor Meagher requesting him to declare specifically his views as to his authority to order a new election for the purpose of organizing a state convention. In December Acting Governor Meagher replied in an open letter that he was of the opinion that the functions of the legislative assembly had lapsed and it would require an enabling act of congress to restore to the territory the right to elect a legislature. He offered to co-

<sup>12</sup> Thomas Francis Meagher was born in the town of Waterford, Ireland, August 3, 1823. In 1834 he entered the college of Clongowes Wood where he displayed those qualities which later gave him a reputation as an orator of ability. In 1843 he completed his studies at the college of Stoneyhurst, Lancashire, England, and returned to his home in Ireland. Here he at once took an active part in the Repeal Movement and became associated with Thomas Davis, John Mitchell, Smith O'Brien, Devin Reilly, John Dillon and other leaders. From 1845 to 1848 he engaged actively in advancing the cause of the Young Ireland party and was taken by English troops while organizing the peasantry for resistance against measures then being carried out by English authority in Ireland. He was tried for treason and was sentenced to death. Owing to influence brought to bear on the English government to save Smith O'Brien, who, with him, had likewise been found guilty and condemned to death, sentence was commuted to life on Van Dieman's land. In 1853 he made his escape from Tasmania and finally reached the United States and settled in New York to practice law. With the outbreak of the Civil war he was instrumental in raising the 69th Regiment, New York Volunteers, and this organization with the 63rd and 88th regiments from that state, the 28th Massachusetts and the 116th Pennsylvania,

formed the Irish Brigade with which his name and fame are linked. It participated in the battles of Fair Oaks, Gaines' Mill, Malvern Hill, Antietam and Marye's Height. In July, 1865, he left New York for Montana as secretary of the newly organized territory. Arriving at Virginia City in September, he soon became acting governor, in the absence of Governor Sidney Edgerton. He participated actively in territorial politics as a staunch supporter of the Democratic party. It is needless to dwell upon his executive acts as they are told in the text of this chapter.

In the spring of 1867 the Indians began to commit depredations which led the acting governor to call for volunteers. While at Fort Benton, whither he had gone to receive a consignment of arms and ammunition for distribution among the troops he had called for, he went on board a river steamer for the night. The deck was not provided with a railing and between nine and ten o'clock P. M. on July 1, 1867, he fell overboard and was lost forever. Rewards were offered by the territory for the recovery of his body but the river never gave up its dead.

On the 4th of July, 1905, through the efforts of the Meagher Memorial Association, an equestrian statue of General Thomas Francis Meagher was dedicated at the capital at Helena, to the memory of the Irish patriot and soldier.

operate with any movement to secure the early admission of the territory as a state. Within a few weeks his opinion changed and in January, 1866, he issued a call for a constitutional convention to be held at Helena on March 26, 1866. Declaring his authority to convene the legislative assembly he issued a proclamation summoning the members of the council elected October 24, 1864, and the members of the house of representatives elected September 4, 1865, in the absence of legislative apportionment, to meet in extraordinary session at the City of Virginia, on March 5, 1866, "for the transaction of business as well as to give legislative sanction and validity to the convention," which was then about to assemble. This second (extraordinary) session of the legislative assembly sat for forty days and adjourned simultaneously with the convention. Intense animosity arose between the partisans of Meagher and those opposed to his actions. He announced publicly that it was his intention to have the laws so framed by the legislative assembly convened by him that "no judge, whatever his powers or consequence should dispute or disobey them" and that he would enforce the laws passed by it "with the whole power of the County of Madison, and if need be, with the whole power of the territory." Still another event stirred the passions of the warring parties. A bill had been passed by the first legislative assembly increasing the salaries of the governor and judges and the per diem of the members of the assembly. The second session convened pursuant to the call of Acting Governor Meagher repealed this law. The members of the Helena bar presented to the assembly a resolution praying that Judge Munson, should be paid the expenses incurred by him in discharging judicial duties of the other two judges who had temporarily been absent, in a sum equal to the compensation repealed. The assembly ignored the resolution and the judge was bitterly attacked by the Meagher party for the attitude he had taken throughout the controversy.

On April 9, 1866, the second session of the assembly passed a bill recognizing the legality of the constitutional convention, which pursuant to the proclamation of Acting Governor Meagher, had met in Helena. A memorial to congress was prepared by it suggesting various matters for appropriate congressional action, but so far as advancing the cause of statehood it accomplished nothing. Judge Munson gave fresh cause for bitter attacks upon him by deciding in an action tried before him that the laws passed at the second (extraordinary) session of the legislature were void. The Democratic party supporting Meagher denounced the judge, while the newly formed Union party ardently championed him. Under another proclamation Meagher called a general election for the first Monday of September of each year based on an apportionment act that had been passed by the second session. Thereunder thirteen members of the council and twenty-six representatives were to be elected. The Union party placed a ticket in the field and nominated candidates for the legislature. The feeling of the dominant party was extremely unfriendly toward Judge Munson and Judge Hosmer. The second legislative assembly, to express its sentiments, had assigned these judicial officers to Choteau and Big Horn counties, then practically without white residents. Later the legislative assembly requested them to resign. Judge Hosmer ignored the request but with the expiration of his term of office, retired, and Henry L. Warren succeeded him as chief justice, on July 18, 1868. Judge Munson, however, resigned and was succeeded by Hiram Knowles as associate justice. Judge Knowles was appointed from Deer Lodge county at the request of the bar and served until June 30, 1879. Later, and after Montana became a state, he was appointed judge of the circuit and district courts of the United States, for the Ninth circuit, District of Montana.

Green Clay Smith<sup>13</sup> was appointed to succeed Governor Edgerton who had resigned and returned to Ohio to live. Before Governor Smith reached Montana in October, 1866, Acting Governor Meagher convened the legislative assembly in extraordinary session at the City of Virginia on November 5th. It adjourned December 15, 1866. The members of the assembly had been elected under the provisions of the apportionment bill passed by the second session of the legislature, which, as we have seen, was convened by Meagher. Although all of the legislation enacted by this third legislative assembly was later annulled by congress, it is to be noticed that the first general incorporation law to be passed in Montana became a law at this session. An act approved December 14, 1866, assumed to locate the seat of government of Montana at Helena, Edgerton county, its permanent location to be determined at the annual election to be held in September, 1867, but no attention seems to have been paid to it, and the seat of government remained at the City of Virginia until seven years later.

When Governor Smith arrived he found that the taxes for the territory were not being honestly assessed or collected. For the fiscal year ending June 30, 1866, the assessment list delivered by the territorial assessor to the United States collector had been \$114,023.56, and of this \$113,134.10 had been collected. The

assessable property from which this tax had been collected by the federal official, was taxable for territorial purposes. The total valuation of taxable property in the counties organized by the first assembly was approximately \$4,957,274.53, but the territorial treasurer's report showed a total of only \$20,316.95. The territory was, as a result, deeply in debt. The County of Choteau (now spelled Chouteau) paid no taxes at all and the people refused to organize or conform to the laws. Its officers refused to perform their duties; "hence," said Governor Smith, in his message to the legislature, "there is no county government and the county is derelict in its duties. I would respectfully suggest, if that is the state of the case that you repeal the Act by which said county was made, to take effect at some future day, provided the people there do not in the meantime organize as prescribed by law, and pay up their just dues to the territory. There is a large trade in that county, and there are almost as many goods sold as in this county, or any other in the country. The repeal of the law puts them back as a part of the County of Edgerton, where there is organization and where the officers will do their duties."

Meagher and Beaver Head counties also had failed to make their returns to the auditor's office and Governor Smith recommended that "some measures be taken to force the

<sup>13</sup> Green Clay Smith, the second territorial governor of Montana, was born in Madison county, Kentucky, in May, 1832, and died July 29, 1895. He served with credit in the Mexican war as lieutenant in Company H, 1st Kentucky Regiment of Cavalry. After the termination of hostilities he returned home and graduated from Pennsylvania University in Lexington, and later pursuing a law course, graduated from the law department of the same institution in 1852. He practiced law in Covington until he was elected to the Kentucky legislature where he early announced his antagonism to secession. On the 4th day of April, 1862, he assumed command, as colonel, of the Fourth Kentucky Cavalry attached to the troops under General Rosecrans. On the 5th day of May, following, in an engagement with General John H. Morgan, the Confederate leader, he was severely wounded. On June 9, 1862, he was made brigadier general, U. S. Volunteers, by President Lincoln, and assigned to the command of a cavalry

brigade operating in Tennessee. In the fall of 1863, he was unanimously nominated for congress from Kentucky, elected to the thirty-eighth and re-elected to the thirty-ninth congress. When Andrew Johnson was nominated as vice-president on the Republican ticket with Lincoln, General Smith was also a candidate. The vote in the convention was a tie and Robert J. Breckenridge, the chairman, by casting his vote in favor of Johnson prevented General Smith from being vice-president of the United States. On his departure from Montana in 1869 he returned to his old home in Kentucky. In 1876 he was candidate for the presidency of the United States on the prohibition ticket. He became pastor of Viney Fork church in Madison county and later preached in Winchester, Frankfort and Louisville. In 1890 he moved to Washington, D. C., and for five years was pastor of the Metropolitan Baptist church in that city, where he died July 29, 1895.



county officers to fully discharge their duties in every regard." As a result of his suggestions the third (extraordinary) session passed an act December 14, 1866, authorizing the governor to appoint and commission an assessor and collector for the unorganized County of Choteau, to assess and collect all taxes, real and personal, due under the revenue laws. This act was to take effect on and after April 1, 1867, provided the county had not in the meantime effected organization. This session also passed an act requiring county officers to report concerning the business of their respective offices, and to make settlement with the territorial auditor, treasurer or superintendent of public instruction, and provided that failure to comply with the law should work forfeiture to office, and prosecution of a civil action upon the bond of the delinquent.

Aside from the prevalent laxity in the matter of assessment and collection of current taxes, there was a large outstanding and unregistered amount of territorial warrants of which there was no official record. Just what the indebtedness of the territory was, could not be ascertained, as a result of these conditions. The second and third assemblies, by increasing the per diem of their members, had added over \$28,000 to the indebtedness of the territory, and its finances were in a deplorable condition. Investigation showed that the territory was so far as ascertainable, over \$80,000 in debt.

In the absence of Governor Smith in the early part of 1867, Acting Governor Meagher again convened the legislative assembly in another extraordinary session on February 25th for the purpose among others specified in the proclamation issued, of amending the election laws of the territory to the end that a delegate in congress might be elected at a time to conform with a law passed by congress convening the 40th congress on the 4th day of March. The territorial law provided for the general election in September, and hence Montana was to be without representation in congress between March and September. This

session met on the date of the call and adjourned a few days later on March 6th. The proposed changes in the general election laws were not carried out by this legislature and no laws of particular importance were enacted. On March 2, 1867, and four days before this session terminated, congress took action upon the condition that had existed in Montana ever since the adjournment of the first session on February 9, 1865.

As we have seen, the first session of the territorial assembly had failed to take any action after Governor Edgerton had vetoed the apportionment bill passed by that body.

All the laws passed by the extraordinary sessions called by the acting governor had been enacted by legislative bodies sitting in the absence of the apportionment and representation provided by the act creating the territory. In this state of affairs the matter was called to the attention of congress, doubt existing as to the validity of any of the laws passed by the second and third (extraordinary) sessions. W. F. Sanders proceeded to Washington and presented the argument in support of the contention that these laws were invalid and should be annulled. On March 2, 1867, congress adopted a measure to the effect that all acts passed at the two sessions of the so-called legislative assembly of the Territory of Montana, held in 1866, be disapproved and declared null and void, except such acts as the legislative assembly therein authorized to be elected, should, by special act, in each case, re-enact; provided, however, that in all the claims of valid rights thereunder, the party claiming the same should not be precluded from testing said claim in the courts of said territory. The act further provided that no legislation or pretended legislation in said territory since the adjournment of the first legislative assembly should be deemed valid until the election of the legislative assembly therein provided should take place. For the purpose of restoring the legislative functions of the territory, the governor was authorized on or before July 1, 1867, to divide the territory into legislative districts for the election

of members of the council and house of representatives and to apportion among said districts the number of members of the assembly provided for in the Organic Act of Montana, and the election of said members should be held at the time and in the manner prescribed by the legislative assembly of the territory at the first session held in 1864-1865. The assembly, so elected, was to convene at the time prescribed by the first session. The governor was empowered to make the apportionment among the legislative districts based upon the election returns in the office of the secretary of the territory and from such other sources of information as would enable him to make such an apportionment as would fairly represent the people of the several districts in both houses of assembly, but the legislature was empowered at any time to change the legislative districts as fixed by the governor. Under this act the salaries of the chief justice and associate justices of the supreme court of the territory were fixed at \$3,500.00 annually.

For two years the bitter controversy, culminating in the foregoing annulment of the laws of the second and third sessions of the Montana assembly, had waged between the two political parties of the territory. Irreconcilable differences of opinion respecting local conditions were, doubtless, intensified by the prejudices aroused by the Civil war, although some of the leaders of the Democratic party who were staunch supporters of General Meagher had performed distinguished services in the Union army. General Meagher, himself, had been a gallant soldier. Major Martin Maginnis, afterwards a member of congress from Montana, was a valiant soldier in the rebellion, serving the Union cause. Other members of the Democratic party had fought in the Civil war in northern regiments. Many of the Democratic party, however, were southern men, coming to Montana to escape service in the Confederate army, who injected their sentiments of sympathy for the cause of the South into the controversy and increased the rancor that prevailed.

On July 1, 1867, General Meagher was drowned in the Missouri river at Fort Benton.

Forty-six years after the deplorable death of General Meagher, and in the month of May, 1913, a man by the name of Patrick Miller, alias Frank Diamond, while in jail at Plains, Montana, believing himself about to die after a protracted spree, made a confession to the effect that he had killed General Meagher near Cow Island in the Missouri River at the instigation of the Vigilantes who found it necessary to get rid of him. Diamond said he received \$8,000, to commit the crime. He also claimed that he had killed other men. He was arrested and taken to Missoula, where he unexpectedly recovered. He then repudiated his story saying that the confession was untrue, and if he had made such a statement while he was sick or had delirium tremens, he had no recollection of what he had said; that all he knew about the death of General Meagher was what he had read and he protested that he had never killed a man in his life. The county attorney of Missoula immediately began an investigation under directions of D. M. Kelley, attorney-general of the state. The alleged confession resulted in much newspaper comment, a few old-timers insisting that they had heard that Meagher had met with foul play. David M. Billingsly, commonly known as David Mack, an old-time resident of Butte, eighty-seven years of age, in an interview given to the *Anaconda Standard*, asserted that the Vigilantes had a quarrel with acting-governor Meagher because of a pardon granted by him to one Daniels, who had been tried by a regularly constituted court of the territory presided over by Judge Lyman E. Munson and had been convicted of manslaughter for killing a man in Helena. Mack asserted that the Vigilantes, because of this act of executive clemency on Meagher's part, decided that the acting-governor must be disposed of and a committee of ten Vigilantes was ordered to carry out the decree of death; that when the committee reached Helena it was discovered that General Meagher had left

for Fort Benton and the Vigilantes following, found him on board a river boat, took him off, murdered him and secretly buried his body; that the story was then proclaimed that General Meagher had fallen from the boat and it was allowed to go unchallenged. Mack was not at Fort Benton at the time. He asserted he was a member of the Vigilantes and one of its active members, but he did not name one of the committee which, according to his belief, was a band of assassins. Such substantially was his story. Why the account published in 1867 and then believed to be true that Thomas Francis Meagher had fallen from the river steamer was allowed to go unchallenged at that time and for almost half a century thereafter, when it is conceded by all old-timers that General Meagher was extremely popular and possessed of many staunch and loyal friends who would go to any extreme to avenge his death, was not explained. Every story suggestive of foul play was purely hearsay in character and nobody asserting that General Meagher was murdered claimed to have been at Fort Benton at the time.

On the other hand, many pioneers of those early days denounced the Mack story as untrue. Soon after Meagher's disappearance a fund of \$10,000 was raised in the territory by popular subscription to investigate his death, but no clue was ever found until Diamond made his confession in the jail at Plains. Granville Stuart, one of the first discoverers of gold in Montana, and who has contributed much to the early history of the territory, branded the Mack version as absurd and as not agreeing with facts that were of record and indisputable. His statement, containing much that throws light on pioneer days, is worthy of preservation. He said: "I have a very clear recollection of the Daniels case. Daniels was a dangerous man, particularly when drinking. In one of his drunken fits he shot and killed a saloon keeper at Helena. Now what Mack did not say was this: Daniels was tried and convicted before a regularly constituted court over which Judge Munson

presided. He was sentenced to 10 years. The Vigilantes had practically retired at that time as courts had been established and were in working order. Now the Vigilantes favored courts. They did what they did because of the absence of courts and the machinery of government. With that machinery in operation they were very willing to retire, and did retire, except in rare instances.

"As I recall it, Daniels had been taken to Virginia City, probably to await transfer to Michigan or to Leavenworth, where prisoners at that time were sent, there being no jails in the territory then to accommodate that class of prisoners. Daniels was popular and his friends went to acting-governor Meagher and secured his pardon. They must have brought considerable pressure to bear on the acting-governor, and possibly at a time when that officer was not exactly himself. For, as a matter of fact, the acting-governor of the territory was without authority to pardon. That power rested with the President of the United States only, Montana being a territory. But nevertheless, Meagher did issue a so-called pardon to Daniels, who was released, and who returned to Helena. Judge Munson had heard of the effort being made to secure a pardon for Daniels, and he went to Virginia City to protest against it. While on the way Daniels was 'pardoned;' at least Daniels got back to Helena before Judge Munson. Daniels at once began to threaten the court, the jurors, and all who had taken part in his trial, and one night the Vigilantes took him up Dry Gulch and hanged him on the celebrated Hangman's tree. This was done before Judge Munson had had time to return to Helena.

"So far as I know there was no great feeling or any feeling among the Vigilantes against the acting-governor on account of that pardon. I was in Virginia City about that time and if there was any quarrel between Meagher and the Vigilantes, I never heard of it. I would naturally have heard of it had there been, for I was close to those men at that time, although not a member of the organization.



"The whole story is preposterous, just as the Diamond story is absurd. Diamond told about having shot Meagher while the boat was proceeding down stream and jumping off and swimming to shore. Meagher fell off the boat into the river while the boat was tied up to the bank. Mr. Conlon says he was seen to fall; however that may be, it is absurd now to try to connect the Vigilantes or any one else with his untimely death."

W. F. Bartlett of Butte, knowing Meagher as intimately as any one in the territory, stated that he never knew and never heard of the slightest trouble existing between the acting governor and the Vigilantes, but on the contrary the relations between them were cordial. This old pioneer pointed out that by the time Meagher first came to Montana the Vigilantes had virtually ceased their operations, and after 1865, the original association for the preservation of law and order, had no further cause to maintain its organization. Patrick Conlon, a close personal friend and admirer of General Meagher, scouted the Diamond story and denounced it as false. A passenger about to return to St. Louis, who was on the steamboat on the night General Meagher disappeared from its deck, corroborated the story that the general fell from the steamer that has been uncontradicted through all these after years and in a signed letter published in the *Daily Missoulian* of June 9, 1913, stated that she heard a deck-hand shout "man overboard," at the time General Meagher met his tragic and lamented end. An examination of all available history of those times discloses a singular unanimity in accounting for the governor's death; the official proclamation of Governor Green Clay Smith, announcing the death of his predecessor, newspapers and writers eulogizing the virtues of Meagher, all agreeing that he fell from the river boat into the waters of the Missouri.

The following statement of the tragedy, prepared at that time by W. F. Sanders, is the most comprehensive one in existence:

"Early in June, 1867, I left my home at Virginia City for Fort Benton to meet my

family, then on their way from the east to Montana via the Missouri river on the steamer Abeona. Remaining some 10 days in Fort Benton in daily expectation of their arrival, I accepted the invitation of the captain of a Pittsburgh boat, the Yorktown, to go down the river to meet them. Momentarily expecting to see the boat, I sat on the deck for two days when at Spread Eagle bar, near Fort Union, I was transferred to the returning steamer, which was nearly three weeks thereafter reaching Fort Benton.

"A little below the mouth of the Marias, impatient of the slow progress of our steamer, in company of Walter Trumbull, I stepped ashore and walking four or five miles across a bend, boarded the Gallatin, Capt. Sam Howe, a boat which was discerned in the distance, then doing service on the Upper Missouri and which was reputed to be able to navigate a light dew.

"Having boarded the Gallatin, we proceeded to the mouth of the Marias, where Captain Howe discharged a cargo of mules, and we availed ourselves of his offer and had a mule-back ride to Fort Benton. About 12:00 or 1.00 o'clock I discerned upon the tableland, whence the road descended to the town, a number of horsemen in military apparel and upon their arrival we greeted Gen. Thomas Francis Meagher and his military staff. He advised us he was on his way to Camp Cooke after 130 muskets which the general government had proffered to the territorial authorities for use in the Indian War in which we were engaged. The day was intensely hot and the general and his staff had made a swift and dusty ride from Sun river, where Messrs. Carroll and Steel had a camp, and were founding that flourishing town, and near which Major Clinton was marking out the site of Fort Shaw, so named in honor of Col. Robert Shaw, of the Fifty-fourth Massachusetts Regiment, who, at Fort Wagner, 'had been buried with his niggers.'

"I do not recall all the members of the general's staff, nor their number, but one of them was Capt. William Boyce, afterward a

resident of Butte. The afternoon was delightfully spent in social visits through the business portions of the town, and General Meagher seemed at his best in a conversational way, but he resolutely and undeviatingly declined that form of hospitality with which Fort Benton then abounded.

"As he was my near neighbor at Virginia City, and a most genial and interesting companion, I spent most of the afternoon with him, introducing him to so many of the citizens and sojourners in that unique and thrifty seaport as he had not theretofore known.

"The fort at that early time was only 20 years old, and, although past its prime, it was in good form. Maj. T. H. Eastman had it in charge for the fur company then carrying on the trade, then about equally divided between the Indians and whites on this frontier. Major Eastman was a most intelligent gentleman and his abounding hospitality well maintained the repute of the remote trading posts of the west. His dinners were veritable feasts of Lucullus and scarce a day passed that a choice lot of merry guests did not surround his hospitable board. During the afternoon he invited General Meagher to dine with him at 6:00 o'clock, which invitation the general accepted.

"Six or seven steamboats from St. Louis, or beyond, were tied to the river banks and among them was a somewhat cheap and rude old craft named the G. A. Thompson. It was a freight boat, but had cabins for perhaps a dozen persons. The pilot or mate of the boat was an Irish-American by the name of Dolan. I think, and when, during the afternoon, he doubtfully interrogated me as to whether this was the famous Thomas Francis Meagher, renowned in the Irish rebellion of 1848, and upon my assurance that it was, he could not conceal his delight at meeting so distinguished a person, who evidently was his idol, and he showed the general much deference and attention and wasted on him not inconsiderable blarney. Ascertaining the general's errand he invited him to become his guest on his voyage down the river as far as Camp Cooke.

"General Meagher returned from the fort about dusk, in company with some other gentlemen whose names I do not recall. I was seated in front of the store of I. G. Baker & Co., when my attention was arrested by abnormally loud conversation, and as the party came nearer I saw that it came from General Meagher.

"As the party came to the place where I was, and I had listened a moment, it was apparent that he was deranged. He was loudly demanding a revolver to defend himself against the citizens of Fort Benton, who in his disturbed mental condition, he declared were hostile to him, and several who then joined us sought to allay his fears and by all the means in our power to restore to sanity his disturbed mental condition.

"His nautical friend, whose host he was to be the ensuing morning, suggested that he go to his stateroom on the boat and three or four of us accompanied him. He was still insistent that the people at Fort Benton were hostile to him and was importunate for a revolver. He was induced to retire to his berth, which was on the starboard side of the boat next the bank, and in the hope that he would sleep we all went on shore, seeking to allay his anxiety by the promise of getting him a revolver.

"As he had removed his outer garments and lain down in his berth, we did not apprehend there would be further trouble, thinking the temporary aberration the result of the hot and exhausting ride of the morning, which sleep would speedily correct. It was a great shock to his friends but we were confident of his immediate recovery.

"I do not stop here to speculate on the cause of his hallucination that the people of Fort Benton were hostile to him, but I have always thought that a contention between the Blackfeet Indian agent, George Wright, and the general as superintendent of Indian Affairs, wherein the general directed the release of all the intoxicating liquors in the country which the agent had assumed to seize, was in his mind. This controversy had assumed an epistolary form in the newspapers, as General

Meagher's controversies were exceedingly wont to do. I only attribute it to this for lack of other causes, but General Meagher had no more loyal friends than those in Fort Benton, who solicitously surrounded him there in his last hours.

"I cannot say that anyone remained in the stateroom with him, for nothing was farther from our thoughts than the denouement then impending. After a brief consultation on the lower deck, I went to the office of the Indian agent, opposite the G. A. Thompson and perhaps 50 yards distant, where I wrote a letter for the outgoing mail to Helena, which left at 11:00 o'clock. Perhaps I had been in the office 30 minutes, when I heard Capt. James Gorman, the stage agent of C. C. Huntley, excitedly exclaim: 'General Meagher is drowned.'

"I dropped my pen and hastened out the door and rushed across the gang plank and across the lower deck of the steamer. There was a colored man, one of the men connected with the boat—the barber, I believe—who, replying to my interrogation, said a man had let himself down from the upper to the lower deck and jumped into to river and gone on down stream. I immediately returned to land and ran down the river bank, repeating the alarm until I reached one of the lower steamers, the Guidon, I believe, where I went across the boat to the river side to watch for the general.

"Boats were instantly lowered and many anxious eyes were peering in the darkness at the swift-rolling waters of the great river, that never seemed so wicked as then. It gave no wished-for sight or sound. The search was kept up all night and for two or three days thereafter. Loaves of bread were cast on the turbid waters in obedience to a belief that they would cause a drowned body to rise to the surface of the stream. A cannon was brought into requisition for the same purpose, but the mighty river defied all our solicitudes and kept its treasure well. I turned from the steamer, as I saw the boats go down the river in the darkness, to fulfill the sad duty of

advising Mrs. Meagher of the overwhelming calamity which had befallen her and us all. She lived on the same street near me in Virginia City, and it seemed to me to be my duty to tell her the sad story. I inclosed my letter to Dr. James Gibson, the postmaster at Virginia City, an accomplished gentleman and a fast friend of Mrs. Meagher, confiding to his discretion the manner in which he should break to her the melancholy news.

"As there was no telegraph, the news of the event went by mail that night. No person, so far as I know, save the colored man, saw General Meagher go into the river, and he related to me the circumstance as I have told. The next day some members of the general's staff said to me that we must report that he fell from the boat accidentally and must not mention the mental aberration and not attribute it to that. I said to them I had written to Mrs. Meagher the exact facts as they had been related to me, and could see no imputation upon the general nor cause of humiliation to his friends if eager devotion to his duties in hand had brought upon him so great an affliction. Some of them seemed to think otherwise, and in the proclamation by Gov. Green Clay Smith, announcing his death, it was, I believe, alleged to have been caused 'by accident.'

"I can well appreciate the affection which General Meagher inspired among his race and countrymen. His form was manly, his manners cordial, his demeanor gracious, his conversation instructive, his wit kindly, his impulses generous, and I agree with Horace Greeley, who once said to me that General Meagher was one of the finest conversationalists and extemporaneous speakers he had ever known.

"It is to be regretted that so much is said and written of General Meagher and the manner of his death that is not so. Those who were with him on that last day of his life will join me, I know, in denying his death could be attributed to any convivial habit. I was with him most of the afternoon, and he was resolutely abstemious as the most devout



anchorite, and it is cruelly unjust to repeat such an accusation.

"The river was searched for his remains down to the south of the Marias, but the search was in vain. Somewhere in the stream his manly form sleeps in as serene repose as it would in classic Arlington, but the jealous waters guard their secret well, and the rushing waves from unfound springs seem destined forever to be his monument and his grave."

After an investigation by the state officials, contemplated criminal proceedings against Diamond were abandoned, he was released from confinement and the incident was closed.

Governor Smith, having returned to Montana, issued two proclamations pertaining to legislative affairs. In the first, conformably with the act of congress of March 2, 1867, he designated the legislative districts for the forthcoming election. In the second, he called an extraordinary session of the fourth legislative assembly to convene on December 14, 1867, immediately after the adjournment of the regular session, and to continue in session not to exceed ten days. This was done for the reason that the regular session of the fourth assembly could not sit over forty days, and, owing to the condition of legislative affairs, produced by the annulment of the laws enacted by the second and third sessions, there was considerably more business to attend to than could be considered within the forty day limit.

The fourth legislative assembly met at the City of Virginia, the capital, on November 4, 1867, adjourned on December 13th, but without interruption reconvened on the following day as the fourth extraordinary session, and finally adjourned December 24, 1867. The governor again recommended the passage of a code of civil procedure suggesting the adaptability to the territory of the California code, and among other matters, advised the assembly to re-enact all of the laws passed by the second and third sessions, not prohibited by the Act of Congress of March 2nd, whereby they had been annulled. Many of the acts passed by the assemblies whose

laws had been declared invalid were meritorious and at the fourth regular and extraordinary sessions were again placed upon the statute book in accordance with the suggestions of the governor. The territorial penitentiary was located at the City of Deer Lodge as authorized by Congress. The County of Meagher had been created by the second session but the act of congress had nullified the law. The law was now re-enacted as part of legislation passed relating to the boundaries of other existing counties. This assembly actuated by the smouldering embers of political hatred, changed the name of Edgerton county to that of Lewis and Clark. The first session had passed a law approved February 7, 1865, providing that the territorial courts might grant divorces on the usual statutory grounds, but apparently ignoring the statutory methods provided, it appears that at this session several special acts were passed dissolving the bonds of matrimony. A bill was enacted incorporating the City of Helena, and providing for the election of municipal officers, a city council and other necessary adjuncts to the administration of its affairs.

The fifth legislative assembly convened at the City of Virginia on December 7, 1868, and adjourned January 15, 1869. At this session the revenue act passed by the first session was repealed and a new act providing for the collection of revenue was passed supplying deficiencies found to exist in the original law. A new license law was enacted. The practise act of 1867 was only slightly modified, as it appeared the act passed by the fourth session and patterned after the California act was reasonably well suited to local conditions. A homestead exemption law was enacted. Acts defining the duties of territorial officers were passed, to rectify the condition of affairs that had existed and from which the new territory in its early existence suffered particularly in the matter of assessment of property and collection of taxes. The general incorporation law of 1867 was annulled and thereunder no corporations could be formed for the purpose of establishing

ferries, toll bridges or toll roads. A peculiar law passed in 1868 requiring locators of mining claims to deposit with the county recorder a specimen of ore or mineral taken from the claim and properly labelled, was repealed. The territorial indebtedness was funded by a bond issue. The first Monday of December, 1870, and biennially thereafter, was designated as the date upon which the legislative assembly should convene at the seat of government. The County of Dawson was established and its boundaries defined by an act approved January 15, 1869. The boundary lines of Deer Lodge, Beaver Head and Madison counties were readjusted. The seat of government was located at the "town of Helena, Lewis and Clark county," the question as to whether it should remain there or the City of Virginia should be finally chosen, to be determined at an election to be held on the first Monday of August, 1869. The name of the county seat of Gallatin county, theretofore known as Farmington, was changed to Bozeman City. Congress was memorialized to establish a branch mint in the territory and to construct military roads within its boundaries. Nothing of particular importance marked the proceedings of this assembly.

Governor Smith resigned his office in the spring of 1869 and returned to Kentucky, his native state. President Grant appointed as his successor, James M. Ashley,<sup>14</sup> who had

been a member of the house of representatives at Washington, from the State of Ohio. Opposition by the Democratic members of the senate because of his activities while in congress in support of the fifteenth constitutional amendment delayed his confirmation, but he finally was commissioned governor and served as such from April 9, 1869, to July 12, 1870. During his incumbency, the sixth legislative assembly of the territory was held, convening at the City of Virginia, December 6, 1869, and adjourning January 7, 1870. All former license laws were repealed and a new law adopted. Water appropriation laws were enacted. The statute of limitations passed by the first session was repealed and supplanted by a new act. This assembly passed a law allowing a locator of a quartz lode mining claim, in addition to the discovery claim, to locate 1,000 feet along the lead in each direction from the discovery claim and that lawful representation therein should consist of one day's actual labor within twelve months from the passage of the act and every six months thereafter.

Governor Ashley was a radical Republican and aroused the enmity of the dominant Democratic party in power in Montana. This session passed an act regulating the tenure of civil officers in the territory which provided that no appointee of the governor could hold office unless the appointment of such person

<sup>14</sup> James M. Ashley who gave its name to Montana, was born near Pittsburgh, Pennsylvania, November 24, 1822, so far as the date can be determined. In 1826 his father accompanied by the family moved to Portsmouth, Ohio. When sixteen years of age James left home and went to work on an Ohio river steamboat where he remained for two or three seasons, and in his nineteenth year he engaged in the lumber business in what is now West Virginia. His anti-slavery opinions were so emphatic and frank that he was advised to leave the soil of Virginia, and although he defied his persecutors for a time he finally complied with their demands. Returning to Portsmouth, he spent the next ten years of his life, engaging in a produce business, studying medicine and finally in 1848 embarking in the newspaper business which he soon had to abandon as unprofitable. In 1849 he was admitted to the bar

but appears to have practiced his profession but little. In 1841 he went to Washington, D. C., where he met President Van Buren. As a supporter of Van Buren, he attended the Democratic national convention of 1844. His old antipathy for slavery kept him in politics and in 1851, he ran for mayor of his old home, Portsmouth, but defeated, concluded to remove West. He settled in Toledo, Ohio, and engaged in the drug business. But politics continued to fascinate him, and in 1856 he was delegate to the Republican national convention at Philadelphia, and in 1858 he was elected from the Toledo district to Congress, where he took his place among the radicals upon the question of slavery. His attitude was so extreme that it is said that the relations between President Lincoln and Ashley became and continued strained until after the Proclamation of Emancipation. In the 37th Congress he was ap-

had first been made by and with the advice and consent of the legislative council. The governor vetoed the bill and it was passed over the veto. The controversy was carried into the courts where it was decided that neither the executive nor the legislative branch of the territorial government independently had the right of appointment. Another act seeking to annul the act of 1867 defining the council and representative districts and the appointment of members of the legislative assembly thereof, was vetoed by the governor and passed over his head, and a law providing for increasing the compensation of the governor was repealed. Governor Ashley's messages to the sixth assembly exhibit a familiarity with the conditions and needs of the territory and contain much suggestive of legislation beneficial to the people, but the antagonism between him and the legislature was so intense that his messages were ignored and his administration embarrassed. That he had the best interests of Montana at heart is clear and, although there was manifest lack of co-operation between him and the lawmakers, he apparently had arranged permanently to remain in the new territory, but about one year after he had served as the executive, President Grant sent the name of Benjamin F. Potts<sup>15</sup> to

pointed chairman of the committee on territories and on February 11, 1863, he reported a bill for the organization of Montana as a territory and in due course the bill became a law. He had already proposed a bill for the organization of a territory to be named Montana, but it was changed to Idaho and thus named, over his protests, became the law by which Idaho was created. On January 7, 1867, Mr. Ashley moved resolutions for the impeachment of President Johnson. In 1868 he was re-nominated for Congress but was defeated. Soon after his inauguration, President Grant sent to the senate the nomination of Mr. Ashley as governor of the territory he had named, and after confirmation, Governor Ashley started west and finally arrived at Helena, which was soon to become the capital, and established his residence. His official activities while governor show him to have been fully appreciative of the necessities of the territory and he sought to supply them. It was his intention permanently to make Montana his home, when he was supplanted by Governor Potts. Governor Ashley thereupon returned

the senate of the United States as Ashley's successor. It does not appear that the president publicly announced his reasons for his action, but it is probably true that Ashley had expressed dissatisfaction with the administration of the president, and for this reason his term of office as governor was cut short. After a struggle led by Senator Sumner, who was the friend of Governor Ashley, the senate finally confirmed Potts and he was commissioned governor July 13, 1870. Without the intense radicalism of his predecessor he entered upon the discharge of his duties unembarrassed by the active opposition of a Democratic legislature, and the seventh session, which convened at the City of Virginia, December 4, 1871, and adjourned January 12th, 1872, enacted many needed and beneficial laws. The existing civil practice act was repealed and a code of civil procedure framed after the California code, was adopted. Although almost entirely repealed in 1877, its contents were at once re-enacted in a bill passed by the tenth session, and it formed the nucleus, rendered somewhat ambiguous and unsatisfactory by subsequent legislative tinkering, of the territorial practice act until the adoption of the codes in 1895. A new criminal practice act was passed and the

East. In 1872 he was a member of the Cincinnati convention that nominated Horace Greeley, supported Tilden in 1876, in 1890 and 1892 was nominated for Congress from the Toledo district on the Republican ticket but was defeated. In 1893 his health failed him and continually growing worse, he died on the 16th of September, 1896, at Toledo.

<sup>15</sup> Benjamin F. Potts was born in Carroll county, Ohio, on the 29th of January, 1836, of pioneer residents of that state. He attended the public schools until seventeen when he entered a mercantile establishment where he worked one year. Then he entered Westminster College at Wilmington, Pennsylvania, where he remained one season, abandoning collegiate work for lack of funds. Returning to Ohio he taught school and devoted his leisure to the study of the law. During this period he also took an active part in local politics supporting the Democratic party. In 1857 he entered the law office of Col. E. R. Eckley who later served in the rebellion and was a member of congress. In 1859 he was admitted to the bar and in the same year he



criminal laws of the territory were revised and rearranged. An act revising, re-enacting and codifying the general and permanent laws of the territory was passed, whereunder were arranged all miscellaneous laws not within the acts above enumerated. At this session the question of the location of a permanent seat of government once more arose. Deer Lodge City appeared as a candidate for the capital, but it was not until 1874 that Helena was finally chosen. This assembly memorialized congress to set apart the Yellowstone Park to be "devoted to public use, resort and recreation for all time to come." In violation of the Organic Act this session passed an act prohibiting a foreign-born person who had declared his intention of becoming a citizen, from voting in the territory,—an invalid law that soon was repealed.

From 1866 up to this period congress and the Montana legislative assemblies had been at loggerheads over the question of extra compensation of United States and territorial officers, payable out of the territorial treasury.

was elected a delegate to the Democratic conventions of Charleston and Baltimore. He gave his energetic support to Stephen A. Douglas. With the outbreak of the Civil war he organized a company of volunteer infantry and was mustered into the Thirty-second Ohio Volunteers. He saw active service, engaging in several battles, and in August, 1862, was promoted to the lieutenant colonelcy of the One Hundred Twenty-sixth Ohio Infantry. In September following he was captured at Harper's Ferry, paroled and sent to Camp Douglas. His old regiment had in the meantime disbanded and he returned home and reorganized the Thirty-second Ohio Infantry, became its lieutenant colonel and was soon commissioned its colonel. He participated in the Vicksburg campaign receiving special mention for gallantry. In August, 1863, he was assigned to the command of his brigade and later was transferred to the command of the second brigade which was part of the forces under General Sherman in the Meridian expedition. Later, he was ordered to join Sherman's army in Georgia and participated in the battle of Kennesaw Mountain and Big Shanty. On July 10, 1864, he was assigned to the command of the First Brigade, Fourth Division, Seventeenth Army Corps and took part in the battles near Atlanta fought on July 20th, 21st, 22nd, and 28th. On December 10th he took command of the

From the time the first session had convened up to the close of the seventh session, in 1872, over \$200,000 had been expended by the territory, as extra compensation to these officials. As a result of this extravagant use of the territorial funds, congress passed an act prohibiting the enactment or enforcement of any law by a territorial legislature by which officers or legislators should be paid any compensation other than that provided by the laws of congress. The financial condition of the territory, through this extravagance, had become badly involved. The public debt exceeded \$500,000. There was, at this time, a movement, supported by a few influential citizens, looking to the passage of legislation pledging the faith of the territory to build a railroad into Montana. The legality of such a measure had been for some time argued by the newspapers. In this condition of affairs Governor Potts summoned the legislature to convene in extraordinary session, suggesting a number of measures looking to economy. He discussed in a message to the assembly

advance brigade of Sherman's army and in the siege of Savannah he took a conspicuous part. These services won for him his appointment as a brigade general of volunteers and he was with Sherman in his memorable march through the Carolinas, returning after the surrender of the Confederate forces, to participate in the Grand Review at Washington, at the close of the war. He was, at different times, recommended by Generals Sherman, Howard, Logan, Smith and Blair for a colonelcy in the regular army, but with the cessation of the rebellion, he resumed the practice of his profession, became a staunch Republican and was elected to the Ohio state senate. As narrated in the text of this history, he was appointed governor of Montana by President Grant and served creditably for twelve years. During the Nez Perce Indian outbreak in 1877 his military training was invaluable and he maintained field headquarters, giving the military operations of the volunteers temporarily called upon to protect the residents whose lives and property were threatened, his personal supervision. After retiring from the governorship of the territory he was elected to the legislative assembly. Finally retiring to private life he devoted his attention to the raising of blooded stock. In May, 1868, he was married to Miss Angeline Jackson, of Carrollton, Ohio, who survived him. On June 17, 1889, he died at Helena.

the proposed law as to the issue of bonds in aid of the construction of a railroad into Montana, cautioning the legislature against the passage of such an act; and he urged the re-codification of the codified laws and other measures which he deemed essential to the public welfare.

The eighth extraordinary session called by the governor, convened at the City of Virginia, April 14, 1873, and adjourned May 8, 1873. Minor changes of the practice act were made. Additional laws defining crimes and misdemeanors not before provided for were passed. A few of the suggestions of the governor upon the necessity of more economical administration of affairs were carried out. The time of holding regular sessions of the legislative assembly was fixed on the first Monday after the first day of January in such years as were provided in the Organic Act. Following congressional authority, this session passed an act to regulate and govern the penitentiary at Deer Lodge. An act providing for the formation of railroad corporations in the territory, and also an act authorizing any county within the territory to subscribe to the capital stock of any railroad company proposing to construct a line into Montana were introduced. Both became laws over the governor's veto. Under the last act it was provided that the county commissioners of any county, might submit to any incorporated company a proposition to subscribe to the construction of a railroad from the Union Pacific, the Central Pacific or Utah Northern railroads, into or through the territory of Montana, not exceeding twenty per cent of the taxable property of the county; but upon condition that the counties of Madison, Jefferson and Gallatin should subscribe fifteen per cent, two per cent to be paid as soon as the road reached those counties, and thirteen per cent when it should be completed. A proposition of like effect should be presented to Meagher county to subscribe ten per cent, and a similar proposition to be submitted to the electors of Lewis and Clark county to subscribe for twenty per cent. An election was to be held at which

the qualified voters should vote upon the question of subscribing to the stock. The question was not presented to the people for decision until 1874. At the eighth session the city of Helena was incorporated by special enactment, approved by the governor on May 5, 1873, but the provisions of the law were not acceptable to the inhabitants, and later another act was passed.

The eighth regular session of the territorial legislative assembly convened at the city of Virginia on January 5th, and adjourned February 13, 1874. A new apportionment bill was passed providing that the next session should convene at the seat of government on the first Monday of January, 1876, at noon, and biennially thereafter. The act prescribed thirteen members for the council and twenty-six for the house of representatives, and rearranged the counties as to representation. The permanent location of the capital was provided for and the question as to whether it should be changed to Helena was to be determined at the general election to be held in 1874. The act passed by the first session to incorporate the city of Virginia was amended and Bozeman was incorporated.

The ninth session met at Helena, which at the general election in 1874, had been chosen the permanent territorial capital. It convened January 3rd, and adjourned February 11, 1876. An act, subject to the approval of the qualified electors of the territory, at an election to be called for such purpose, was passed whereby the sum of \$1,150,000 was to be contributed by the territory, payable in territorial bonds, for the purpose of aiding in the construction of a railroad to run from Franklin, Idaho, into Montana by the way of the mouth of the Big Hole river. A similar act authorizing counties to be benefited thereby, was passed whereby such counties could submit to the voters thereof the proposition of issuing county bonds in aid of railroad construction. Still another act, of like import was passed, entitled an act to encourage the construction of the Northern Pacific Railroad in the territory of Montana. Much

legislation passed this session for the funding of the debts of the territory and of the various counties. The citizens of Helena not having taken steps to become an incorporated city under previous incorporation laws, an act was again passed granting to its inhabitants the right to constitute a body politic and corporate. Congress was memorialized to render navigable the Yellowstone and Missouri rivers.

The tenth session of the Montana assembly convened at Helena January 8th, and adjourned February 16, 1877. There was passed a new apportionment bill giving the council a membership of thirteen and the house, twenty-six, and distributing them anew among the counties. A Code of Civil Procedure was again enacted into law, repealing the practice act passed in 1872, but the code sections of the early act were substantially re-enacted and incorporated in the new code. Earlier acts relating to guardians, to probate courts and estates of deceased persons were repealed and a probate practice act of 559 sections was passed, wherein the entire subject of probate laws was arranged, revised and codified. More legislation for the purpose of enticing railroads into the territory was passed at this session and provisions made for elections at which various propositions presented by such railroad magnates as Oliver Ames, Sidney Dillon, Jay Gould, F. Gordon Dexter and others, were to be submitted to the qualified voters of the territory. The name of Big Horn county was changed to Custer county, by an act approved February 16, 1877. An examination of the laws of this session brings to light a resolution passed by this assembly that has been all but forgotten and ignored. Custer and his men had been annihilated the previous year and in recognition of his services and tragic death it was resolved that "in commemoration of the dauntless courage, the disciplined valor and the heroic death of Col. George A. Custer and his men of the Seventh Regiment of the United States Cavalry who fell with him in the battle with the Sioux Indians, on the Little Big Horn river, in the territory of Montana, on the 25th day of

June, A. D., 1876, the name of said Little Big Horn river shall be changed to Custer's river, and the same shall be forever hereafter known as Custer's river." This river has ever since been known and called the Little Big Horn.

The eleventh regular session of the Montana assembly convened at Helena, January 13th, adjourning February 21, 1879. No laws of special importance were enacted. As a forerunner of the sugar beet industry now thriving in the eastern portion of the state, inducements were offered to those who would construct factories or refineries for the manufacture of sugar from beet roots, by the passage of an act exempting improvements constructed for such purpose, together with 160 acres of land upon which the same should be built from taxation for the period of six years. An act to provide for the taxation of the net proceeds of mines was passed, and a bill was enacted incorporating the city of Butte. Until the first board of aldermen were elected as provided in the act, W. A. Clark, Jeremiah Roach, Henry Jacobs, and James Mussigbrod were constituted to act as commissioners to serve in the capacity of aldermen. An act to provide for a recodification of the general laws was passed and Harry R. Comly designated to arrange and codify the laws as they might exist at the expiration of this session. Legislation was provided for the funding of territorial and county indebtedness. Congress was memorialized to take all necessary steps to prevent further immigration of Chinese into the United States, their presence being "an evil of great magnitude," and was petitioned again to render navigable the Yellowstone and Missouri rivers. A house joint memorial was addressed to Congress to pass an enabling act permitting the people of the territory to take the necessary preliminary steps for becoming a state in the Union. Montana at this time had an estimated population of 40,000, and this was presented as sufficient to justify statehood.

An extraordinary session convened July 1st and adjourned July 22, 1879. Thereat was passed a law prescribing conditions under



which foreign corporations could do business in Montana, and the indebtedness of the territory was funded and outstanding bonds redeemed. Repeated acts had been passed authorizing the incorporation of the city of Helena, but no steps had been taken by the people of the capital to become a body politic. At this session a bill was enacted to enforce the existing incorporation act, providing that if certain designated commissioners did not proceed to comply therewith within a specified time, the probate judge of Lewis and Clark county should carry out its provisions.

At the twelfth assembly of the legislature, convened January 10th and adjourned February 23, 1881, the commissioner to arrange and codify the laws in force at the adjournment of the assembly of 1879, presented a code of laws consisting of a Code of Civil Procedure, a Probate Practice Act, a Criminal Practice Act, a Code of Criminal Laws, and one of general laws comprising 1,239 sections. It became a law without the approval of the governor. The county of Silver Bow was created out of Deer Lodge county and its boundaries defined, by an act approved February 16th. Additional legislation was enacted authorizing the funding of the indebtedness of counties. Under the general laws of this session the boundary lines of Missoula, Deer Lodge, Beaver Head, Madison, Jefferson, Lewis and Clark, Meagher, Gallatin, Choteau, Dawson and Custer counties were more specifically defined.

After more than twelve years of service as governor, B. F. Potts was removed, retiring on January 14, 1883. J. Schuyler Crosby<sup>16</sup> was appointed his successor and as-

sumed the duties of the executive office on the following day. The thirteenth session had just convened on the 8th and concluded its labors March 8, 1883, taking advantage of an act of congress passed in 1880, extending the time from forty days, as provided by the Organic Act, to sixty days within which the legislative assembly might sit. The boundary lines of Meagher county were once more altered and defined. A general law was passed empowering school trustees to issue bonds to build or provide school houses, special acts only theretofore having been passed granting such authority in particular instances. An act granting corporations power to levy and collect assessments upon the capital stock to defray corporate expenses was passed, and a reapportionment of the members of the legislature was made. The boundary line between Jefferson and Silver Bow counties was altered and particularly defined. On February 26, 1883, the county of Yellowstone was created, and the boundary lines of Gallatin and Custer counties altered to conform to the boundaries of the newly organized county. Additional legislation permitting counties to fund their debts was provided, and another act incorporating the city of Bozeman became a law. Acts for the incorporation of Fort Benton, Missoula and amending prior acts for the incorporation of the cities of Virginia, Butte, and Helena became laws. A house joint resolution providing for a constitutional convention to assemble on the second Monday in January, 1884, for the purpose of framing a constitution for the government of the people of the state of Montana was enacted which provided that delegates to be

<sup>16</sup> John Schuyler Crosby was born in Albany county, New York, September 19, 1831, the son of Clarkson Floyd and Angellea Schuyler Crosby. In 1855 he graduated from the University of the City of New York. He has led an active life marked by varied and romantic incidents. He was one of the first Americans to cross South America from Valparaiso, Chili, to Montevideo, Uruguay, in 1856. At the outbreak of the rebellion he was commissioned second lieutenant of the First Artillery, U. S. A., April 5, 1861, and promoted to first lieutenant on the 28th

of August following. In 1863, he was a captain of volunteers and detailed as aide-de-camp on the general staff of the Nineteenth Army Corps. He was mustered out of the volunteer service, August 1, 1866. From March 13, 1869, to July 31, 1870, he was aide-de-camp on the staff of Lieut. Gen. Phil Sheridan, with the rank of lieutenant-colonel. On April 12, 1863, he was brevetted captain "for gallant and meritorious services in action at Fort Bisland, Florida." For like services in the battle of Pleasant Hill he was again brevetted major on April 9.

apportioned among the several counties should be chosen at an election to be held in November, 1883.

Governor J. Schuyler Crosby was succeeded December 16, 1884, by B. Platt Carpenter.<sup>17</sup>

The fourteenth assembly convened January 12th and ended March 12, 1885. It created the county of Fergus, defined its boundaries and provided for the election of its officers. The boundary lines of Meagher and Choteau counties were altered to conform to the limits of the new county as established by the act. Laws incorporating the cities of Billings, Dillon and Missoula, and amending the act to incorporate the city of Helena were enacted on July 14, 1885.

1864; and on March 15, 1865, he was brevetted lieutenant-colonel for similar services "during the war." After the Civil war he served in Indian campaigns as adjutant general with General Sheridan and General Custer. "For carrying dispatches." during the rebellion he was personally thanked by President Lincoln. From 1876 to 1882 he was consul to Florence, Italy, and while there was decorated by the king of Italy for capturing a band of criminals in Tuscany. From 1882 to 1884 he was governor of Montana territory. He was first assistant postmaster general from 1883 to 1886. In 1889 he was a school commissioner in New York. He has been awarded a first class life-saving medal for saving life at sea. He still resides in New York City.

During his tenure of office as governor of Montana, there was prevailing in the territory a sentiment hostile to appointees coming from the East. The term "carpet-bagger" was applied to them in a spirit of derision. The permanent residents here believed the executive should be chosen from those who lived in the territory and were most capable to pass upon questions of local interest. Governor Crosby was not immune from this feeling and his term of office was comparatively brief. Perhaps the most striking feature of his administration was the number of legislative measures that met with his opposition and executive veto.

<sup>17</sup> B. Platt Carpenter was born at Stanford, Dutchess county, New York, in May, 1837. He is the son of Morgan and Maria (Bockee) Carpenter. In 1857 he was graduated from Union College, Schenectady, New York, and then began the study of law in the office of Thompson & Weeks, at the same time attending the National Law School in Poughkeepsie. In 1858, he was admitted to the bar and at once became recognized as a lawyer of unusual abilities.

Samuel T. Hauser<sup>18</sup> succeeded B. Platt Carpenter as governor.

The first substantial step toward the enactment of an orderly, perspicuous and intelligent body of law was made by the fifteenth regular session which assembled at Helena, January 10th and adjourned March 10, 1887. The contradictory and chaotic legislation of preceding assemblies which had passed, revised, annulled and repealed a series of practice acts, civil and criminal codes, was supplanted by the compiled statutes of 1887. The consummation of the movement was finally effected by the adoption of the Codes in 1895. This session confined its labors to the consideration of the provisions of the proposed act provid-

While a resident of the state of New York, he held the offices of district attorney, county judge, state senator and was a member of the state constitutional convention. He was a delegate to both national conventions of the Republican party that nominated General Grant for president of the United States, and also to the convention that nominated James G. Blaine. He was chairman of the New York Republican state committee in 1881. In December, 1884, he was appointed governor of the territory of Montana by President Arthur and arrived in Helena in January, 1885. He was a member of the Montana constitutional convention in 1889, previous to its admittance to the Union. Perhaps his most noteworthy services since becoming a resident of this state were performed as one of the commissioners to prepare the Codes which became effective July 1, 1895. His recognized legal learning and long familiarity with the Codes of the state of New York were eminently valuable in the codification of the laws of Montana. He was, at the time of the publication of this chapter, a resident of Helena where he was actively engaged in the practice of his profession.

<sup>18</sup> Samuel T. Hauser was born in Falmouth, Pendleton county, Kentucky, January 10, 1833. His early education was secured in the public schools, and in 1854 he removed to Missouri, where, as a civil engineer, he held many important positions with different railroad companies then extending their lines to the West. In 1862, he went up the Missouri river to Fort Benton and crossed the country to the sources of the Columbia river, and in the same year reached Bannack. In the fall of 1862 he was one of the party that traveled over the Lewis and Clark trail, and the exciting adventures of this expedition of only fifteen men, almost constantly struggling for their lives with swarms of hostile Indians, forms one

ing for the compilation and arrangement of the general laws of the territory in force at the date the assembly convened on the 10th of March, and the law was not finally passed and approved until the day of adjournment. The only other law of importance enacted by the fifteenth session was that creating the county of Park. It was carved out of Gallatin county and the boundary lines of the two counties defined. While this assembly was in session Governor Samuel T. Hauser resigned and on February 8, 1887, was succeeded by Preston H. Leslie.<sup>19</sup>

The fifteenth legislative assembly was convened in extraordinary session on August

of the most thrilling stories of early pioneer days. His entire life in Montana has been devoted to the upbuilding of the resources of the territory and state, although, in 1884 he was a delegate to the Democratic national convention that nominated Cleveland and Hendricks, and in 1885, he was appointed governor of Montana by President Cleveland and served about eighteen months. He has always been active in the councils of the Democratic party. As early as 1865 he organized a bank in the city of Virginia, and in the following year he established the First National Bank at Helena. He also assisted in the creation of other banking institutions in Butte and Missoula and has been identified with many mining and railroad enterprises, organizing the Helena and Livingston Smelting and Reduction Company, and lending his industry, ability and money to the construction of railroads within the state. After his retirement from the active management of the First National Bank of Helena, he, with other capitalists, began the development of the vast water power of the Missouri river north of Helena, and this enterprise has now become one of inestimable value not only to the arid but fertile region contiguous to the river, but the electrical power generated by the mighty river currents is now conveyed to the city of Butte where it is rapidly supplanting all other forms of power necessary in the conduct of mining operations. Governor Hauser at the time this sketch was written was still a resident of Helena, where, with his enterprise, industry and vitality seemingly undiminished, he is still actively supervising his varied and important commercial and industrial enterprises.

<sup>19</sup> Preston H. Leslie was born in what is now Clinton county, Kentucky, March 2, 1819. His was the unique distinction of having been governor of two states—Kentucky and Montana. At the age of

29th, adjourning September 14, 1887. No laws of particular importance were enacted except that creating the county of Cascade, and rearranging and defining the boundary lines of the counties of Meagher, Choteau, Lewis and Clark and Fergus, out of which the new county was formed.

The last territorial legislative assembly (the sixteenth) convened January 14th and adjourned March 14, 1889. The sentiment in favor of a scientific codification of the laws of the territory which had produced the so-called Compiled Statutes, brought about the passage of an act at this session to provide for the appointment of a code commission to

twenty-one he was elected prosecuting attorney of Monroe county, Kentucky, and at the expiration of his term of office in 1844, he was elected to the legislature of that state serving for two terms, and being elected speaker of the lower house during his last.

In 1852 he became a state senator and was re-elected in 1867. During this last term he was, likewise, chosen as president of the upper house of the Kentucky legislature. By reason of vacancies in the gubernatorial chair, caused by the death of Governor Helm and the resignation of the lieutenant governor, Mr. Leslie by operation of law became governor. He was afterwards elected to succeed himself, defeating that distinguished jurist, John M. Harlan, who later was elevated to the supreme court bench. When he retired from the governorship he resumed the practice of law, when, in 1881, he was appointed to fill a vacancy in the office of circuit court judge. Here, again, he succeeded himself by election. Later, through the recommendation of his old political opponent, Justice Harlan, President Cleveland appointed him governor of Montana. Upon the expiration of his term of office he resumed the practice of his profession in Helena, associating with him A. J. Craven, Esq. In 1894 he was appointed United States district attorney for Montana, serving from March 12, 1894, to March 8, 1898. Governor Leslie was accompanied to Montana by his family. One of his sons, Hon. Jere B. Leslie, is now a judge of the district court of Montana, residing at Great Falls. On the 7th of February, 1907, Governor Leslie died in Helena, after a short illness.

In a long life devoted to the performance of public duties, it may be said of him that he was true to every trust imposed.



codify the criminal and civil law and procedure and to revise, compile and arrange the statute laws of Montana. Experience covering the life of the territory had demonstrated the necessity of such a method whereby a body of men learned in the law, with ample time and facilities at their disposal, could prepare an orderly and systematic body of law, instead of leaving the subject to untrained legislators who, amid the distractions incident to a session of the legislature, were compelled, within sixty days, to complete this difficult task. As a result, the governor was authorized to, and did, appoint Decius S. Wade, who from 1871 to 1887, had been chief justice of the supreme court, B. Platt Carpenter, formerly governor and a distinguished lawyer of New York state, and F. W. Cole, another learned lawyer long resident in the territory, a commission to carry out the provisions of the law. This commission, under the act, was directed to prepare and submit a civil code, a penal code, and a code of civil procedure to the first session of the legislature of the state of Montana, and a political code, to the second session of the state assembly for their action and approval. The act was approved March 14, 1889. Congress, on February 22nd, preceding, had passed an act to enable Montana, among other territories, to hold a convention for the purpose of becoming a state, and the code commission law adopted by the last territorial assembly granted the commission ample time to perform its arduous labors, extending the time for its report to the first and second sessions of the state assembly. The state convention was held at Helena, meeting on the 4th day of July and adjourning August 17, 1889, on which date the State Constitution prepared by it was adopted, and afterwards and on Octo-

ber 1, 1889, ratified. The future history of the code commission, its labors and the adoption of the codes will be considered in the chapter dealing with the state legislation. At the sixteenth session an election law providing for registration of electors and the prevention of election frauds was passed, and the office of inspector of mines was created and his duties defined. A board of medical examiners was established. An act, elaborate in its provisions, governing the organization, regulation and discipline of the national guard of Montana was passed and all earlier acts repealed. A controversy among Deer Lodge, Missoula, Silver Bow and Beaver Head counties as to boundary lines was referred to a commission, to settle the question. The northern boundary of Fergus county was extended to the Missouri river and the boundary line of Choteau county altered to conform to the change.

In the foregoing review of the legislation of the territory is presented a history, necessarily tedious to all but the student, of the beginning of recognized authority established by constitutional means in Montana. It marks the epoch in which order and the preservation of property rights as maintained by self-constituted miners' courts and the vigilantes were supplanted by the enforcement of lawfully enacted civil and criminal laws, by legally constituted authority; and a study of this legislation discloses the steady growth, development and expansion of those rules for the government of society which the peculiar conditions arising in Montana rendered essential to its welfare.

Note—There will be found in the appendix a roster of officers and members of the sixteen legislative assemblies of the territory and also of the constitutional conventions of 1866, 1884 and 1889.

## CHAPTER XIX

### MONTANA BECOMES A STATE—A REVIEW OF ITS LEGISLATION

On February 22, 1889, congress passed an enabling act providing for the division of Dakota into two states and granting authority to the people of North Dakota, South Dakota, Washington and Montana to form constitutions and state governments, to be admitted into the Union on an equal footing with the original states and to make donations of public lands to these new commonwealths. Thereunder all persons who were qualified by the laws of these territories to vote for representatives to the legislative assemblies thereof, were authorized to vote for and choose delegates to form conventions in the proposed states. Delegates to the conventions provided for under the enabling act were eligible thereto if they, under the territorial laws of these respective territories, were qualified to be elected to the legislative assemblies of the territories included within the act of congress; and such delegates were to be apportioned, within the limits of the proposed states, in proportion to the population of the districts from which they were chosen. All of the provisions of the enabling act were applicable generally to the territories named therein. Omitting reference to all except Montana, congress, in the act, prescribed that the governor should order an election of delegates to be held on the Tuesday after the second Monday in May, 1889. The number of delegates to the constitutional convention was limited to seventy-five. The enabling act provided that the constitution to be adopted should be republican in form, should make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and should not be repugnant to the constitution of the United States and the principles of the Declaration

of Independence. Congress further made it binding upon the territory, in the event it formed a state constitution, that the convention to be held should provide by ordinances, irrevocable without the consent of the United States and the people of Montana, that perfect toleration of religious sentiment should be secured and that no inhabitant of Montana should ever be molested in person or property on account of the mode of religious worship; that the inhabitants of the state must agree forever to disclaim all right and title to the unappropriated public lands within its boundaries including all lands owned or held by any Indians or Indian tribes and that until the title thereto should have been extinguished by the United States the same should remain subject to disposition by the United States and that all Indian lands should remain under the absolute jurisdiction and control of congress; that in the matter of revenue, lands belonging to citizens of the United States residing outside of Montana should never be taxed at a higher rate than the lands belonging to the residents of the state; that the state should not impose any tax on lands or property therein belonging to, or which should thereafter be purchased by the United States or reserved for its use. The state, by constitutional provision or ordinance, was bound also to assume and pay the debts and liabilities of the territory, and it was obligated to provide for the establishment and maintenance of a public school system, open to all the children of the state and free from sectarian control. The constitution, formulated by the convention, was to be submitted to the qualified voters of the state, for ratification or rejection, at an election to be held on the first Tuesday in

October of 1889. The proposed constitution was by a majority of votes cast, duly ratified at the time prescribed and in accordance with the provisions of the enabling act, the governor of Montana certified the result to the President of the United States, who on the 8th day of November, 1889, issued a proclamation announcing the result of the election, and thereupon Montana automatically became a state on an equal footing with the original states.

The enabling act contained other important provisions of which notice should be taken to an intelligent understanding of the status of Montana as a state. It prescribed that upon her admittance into the Union, sections of land numbered 16 and 36 in every township (and where such sections or any part thereof, had been sold or otherwise disposed of by or under the authority of any act of congress, other lands equivalent thereto, in legal subdivisions of not less than one-quarter section, and as contiguous as may be to the section in lieu of which the same was taken) were granted to the state for the support of common schools, such indemnity lands to be selected within said state in such manner as its legislative assembly should provide with the approval of the Secretary of the Interior, but it was expressly provided that such sections, numbered 16 and 36, as should be embraced within permanent reservations for national purposes, should not, at any time, be subject to the grant or indemnity provisions of the enabling act, nor should any lands embraced in Indian, military or other reservations be subject to the grant or to the indemnity provisions of such act until the reservation should have been extinguished and such lands restored to the public domain. Under an act of congress passed in 1881, lands within Montana, and other territories had been granted for educational purposes, and the enabling act, provided that the same should be disposed of at public auction only, and for not less than ten dollars per acre. To the end that the newly formed state should have ample means to support her system of schools, the state was,

by the act, bound to place the proceeds from such sales in a permanent school fund, the interest of which only should be expended for the support of such schools. Congress, however, inserted a provision in the act whereunder such lands could be leased, under state legislative control, for periods not exceeding five years and in quantities not exceeding one section to any one person or company, and such lands could not be subject to pre-emption, homestead or other entry, but should be reserved for school purposes only.

Other provisions for the use of public lands granted to the state were made by congress. Fifty sections of the unappropriated public lands within Montana, to be selected and located in legal subdivisions in the same manner provided for the selection and location of lands for school purposes, were granted to the state for the purpose of erecting public buildings at the capital for legislative, executive and judicial purposes.

The enabling act further provided that five per cent of the proceeds of sales of public lands within Montana which should be sold by the United States subsequent to its admission into the Union, after deducting all expenses incident to the same, should be paid to Montana, to be used as a permanent fund, the interest of which only was to be expended for the support of the common schools of the state. Thus it is to be seen that congress provided liberally for the support and maintenance of our common school system, not only granting to the state a veritable empire in land to be sold or leased, but also giving to the commonwealth a portion of the proceeds of the sales of public lands within its boundaries the title to which was reserved in the government.

The lands granted to the territory in 1881, by congress, were vested in the state, and seventy-two full sections were by the enabling act made the basis for support of a university. These lands, likewise, could not be sold for less than ten dollars per acre, and the proceeds derived from such sales were to constitute a permanent fund to be safely invested,



and the income to be employed exclusively for university purposes.

Other grants of public lands were made by this act. One hundred thousand acres were granted for the establishment and maintenance of a school of mines. A like quantity was given the state for state normal schools. In addition to former grants, fifty thousand acres were granted for the support of agricultural colleges. For the establishment of a state reform school, fifty thousand acres were given. The state deaf and dumb asylum received a like amount, and for public buildings at the capital of the state, one hundred and fifty thousand acres were granted in addition to the grant theretofore made for such purpose.

All mineral lands were excluded from these grants, but the act provided that if sections 16 and 36, or any portion thereof should contain mineral, the state was authorized to select an equal quantity of other unappropriated lands, in lieu thereof, for the use and benefit of the common schools.

The enabling act further made provisions for the establishment of federal courts, and Montana was attached to the ninth circuit for judicial purposes. The constitutional convention of Montana, authorized to be held by the act, was empowered to provide, by ordinance, for the election of officers for a full state government, including members of the legislative assembly and representatives in congress. Provided the constitution submitted by the convention should be ratified by the people, the legislative assembly was empowered to assemble, organize and elect two senators of the United States, and when the state should be admitted into the Union, the representatives elected to represent us at Washington, D. C., were clothed with all the rights and privileges of senators and representatives of other states in the congress of the United States.

The act provided that all territorial laws in force at the time of the admittance of Montana into the Union should remain in force, except as modified or changed by the act or by

the constitution finally ratified by the people of the state.

The third convention to draft a constitution for the proposed state of Montana met as provided in the act of congress, on the 4th day of July, 1889, at Helena, and labored industriously for forty-five days, adjourning on the 17th day of August. It was as provided, composed of 75 members elected from 25 districts into which the 16 counties of the territory were divided.

The membership of this assemblage was generally considered as made up of able and patriotic citizens desirous of drafting an organic act, at once just and suitable to the needs of the new commonwealth. Politically it was divided about evenly, there being 39 Democrats and 36 Republicans in the convention. Many subjects of legislation were injected into the deliberations, and those who had an appreciation of the high duties of this body, leaders and lawyers and members with legislative experience who sought to confine the labors of the convention to essential constitutional provisions, were in many instances overridden, while many members who believed that the interests of the people demanded that their ideas should be crystallized into the constitution of the state, on occasions, controlled the body. As a result, there were incorporated in this state document, in adamant form, many provisions, then apparently proper, but which, with the development of the state, will demand alteration through the cumbersome method of constitutional amendment. The motives of none of the members are impugned, but as a result of their labors, a constitution was finally adopted containing provisions that should have been left to subsequent legislation, and a document four times as voluminous as the constitution of the United States, and all of its amendments covering the first century of our national existence, was the result of this labor.

Honorable W. A. Clark of Silver Bow county was made president of the body, a position he had ably filled in the convention held in 1884, which did not bear fruit, although it

emphasized the desire of the people of the territory for, and that justice demanded that they be given, local self-government.

The first constitutional convention was called by acting Governor Thomas Francis Meagher, before the territory was two years old, and it met at Helena, April 9th, 1866, adjourning after deliberating 6 days. It consisted of 47 members from the 7 counties then in existence and was presided over by Robert C. Ewing, a delegate from Edgerton, now Lewis and Clark county. This convention was called without authority of law either by the territorial legislature or by congress, and did not meet with the approval of the people generally. It was the expressed belief of many citizens that it was called for the purpose of enabling some of those who were its members to hasten the time when a coveted seat in the senate of the United States might be secured. All of its members did not attend and a quorum was procured with difficulty and by means of filling vacant seats by elections by the body itself. It adopted a constitution of which there is no record, the original document being taken to St. Louis, Missouri, for publication by Thomas E. Tutt, one of the members. There can be found no evidence of its ever having been printed. The original has never been recovered, nor did it ever appear in complete form in any of the newspapers of the day.

The second convention met at Helena, on January 14, 1884, and adjourned on February 9th. It was convened in accordance with a house joint resolution of the thirteenth legislative assembly of the territory, approved March 7, 1883, and consisted of 45 members from the 13 counties then constituted, elected at a special election held November 6, 1883. It adopted a constitution after deliberations lasting 27 days. This was presented to congress by Hon. J. K. Toole, then delegate, but the admittance of the territory under its provisions was never secured. The subject was kept constantly before that body, however, by Mr. Toole, during his four years of service in the house of representatives, and

his labors were rewarded during the closing days of his term by the passage of the enabling act, already mentioned.

Turning to the convention of 1889, it appears from the journals of its deliberations, that on July 10th a resolution was introduced having for its object the incorporation into the proposed constitution of a provision exempting from taxation, for all time, mines of all descriptions. This proposition was innocently woven into the required provisions of exemption from taxation of lands of the United States and of the proposed state of Montana. It was probably suggested by the conditions as they then existed and was deemed proper, having in view the desire that nothing be placed in the path of the development of the mineral resources of the territory. Montana was then pre-eminently a mining country, and its chief industry, giving evidences of rapid growth, must be protected at all hazards. This resolution was not adopted in its full scope, but it precipitated much discussion. As finally agreed to it provided that mines should be taxed at the price paid the United States, (\$5.00 per acre), with additional provisions for the taxation of surface ground when used for other than mining purposes, and that the net proceeds of all mines and mining claims be subject to taxation. This constitutional provision has frequently been the subject of public discussion and has met with adverse criticism. Touching upon nominal taxation of mines now fabulously rich, W. F. Sanders, in an address on the Pioneers at the dedication of the state capitol, July 4, 1904, said:

"With the courage which was a conspicuous trait in their character to assist a hazardous, hopeful infant industry, they took upon themselves a portion of its burdens by absolving it from its share of taxation. When thus delivered the interest and amount involved was small, but it has now grown to colossal proportions and is one of our chiefest and most remunerative resources. But the advantage thus given has not been relinquished, and what, in its nature and purpose was designed

to be temporary, by the forethought and adroitness of greed, has been taken from the domain of legislation and become woven in constitutional enactment as a permanent policy of the state.

"It does not require a wide knowledge of human nature to discern that when the ownership of private property does not carry with it the equal burden which that ownership implies, a disregard of the sanctities of title is begotten, which may wreak abounding mischief. Absolute equality of taxation of property is primal, essential justice, unless it is desired to cultivate a superior class to own the property, and a proletariat or peasantry to become their serfs.

"The irony of the situation is not belittled by the fact that the property so absolved from taxation in the nature of things, makes disproportionate and increasing demands on the money and solicitude of the commonwealth. Matters will not assume normal conditions until a constitutional provision is ordained that every piece of property not of public ownership shall, according to its value, bear its equal burden of taxation. This seems too plain to admit of discussion."

With the organization of the third constitutional convention, the rules adopted for its guidance provided for the appointment of twenty-three standing committees to supervise the drafting of articles, sections, schedules and ordinances on various subjects. These committees were duly appointed and their membership announced by president Clark on the fifth day after the body had assembled. Forms of the preamble were submitted and the subject of the recognition therein of a Supreme Being aroused, perhaps, more than usual discussion, with the result that it was finally inserted. Laws giving preference to any form of religion were prohibited and a memorial of the Methodist conference praying for a clause on strict observance of the Sabbath was presented, but nothing on this subject was incorporated into the document. The funds of the state institutions were properly safeguarded, but legislation was later enacted

authorizing the issuance of bonds against the various land grants for the benefit of educational institutions. Later the state treasurer refused the payment of a warrant from the proceeds of such bonds and an action was brought to compel such payment. The attorney general appeared for the state treasurer and his position upheld, the mandamus proceedings were quashed and the proceedings dismissed. An appeal was taken to the supreme court of the United States, where the decision of the supreme court of Montana was affirmed. One interested in this controversy may find the legal questions discussed in the case of *State, ex rel. Haire, Relator vs. Rice*, as State Treasurer, Respondent, 33 Montana Reports, page 365, and the decision of the supreme court of the United States may be found in volume 204 of the Supreme Court Reports, page 291. On the final determination of these proceedings, the legislative assembly enacted a law authorizing a bond issue of \$500,000 to replace those held as unconstitutional, and it was ratified by the people.

Abundant protection against bribery and the trading of votes in securing legislation was provided. An effort was made to limit the right of franchise to those who could read and write the English language, but it failed, and the same may be said of a resolution introduced seeking to incorporate a provision in the Constitution prohibiting the state from contracting the labor of its convicts. A resolution was introduced on the subject of new counties providing that in naming them regard should be had to mountain ranges and rivers and the natural features of the country. This question received little consideration. Another subject having in view the construction and maintenance of a system of irrigating canals and ditches to belong to the state and to remain under its control, under legislative regulation, was pressed for adoption, but the agricultural possibilities of Montana were not then fully appreciated, and no action was taken upon the matter. President Clark took the floor as the leader in a fight for the abolishment of the grand jury as a relic of the dark



ages. The proposed provision, amended, was finally adopted providing for the prosecution of offenses by information, but retaining the grand jury at the discretion of the courts.

On July 19th the chairman of the committee on state institutions and public buildings reported, recommending that the capital remain at Helena until permanently located, and that when located it should not be changed except by a two-thirds vote of the people, and that there be no expenditures for buildings until the state capital be permanently determined upon. Later this was changed to provide that the question should be submitted to the electors at the general election to be held in 1892, and in case no city secured a majority of the votes, that the question should be settled at the next election, between the two cities receiving the highest vote. The convention amused itself for several days, which the residents of Helena did not enjoy, by inserting Anaconda, Missoula and Bozeman in the section, instead of Helena, and efforts were made to insert the names of many other towns, as Great Falls, Butte and Livingston. It was finally agreed that Helena remain the state capital until the question should be finally decided, through the medium of the elections provided.

On the same day, Hon. J. K. Toole, as chairman of the committee on the legislative department, reported a section providing that the senate should consist of sixteen members, one from each county, which was to constitute a senatorial district regardless of population, and that the house of representatives should consist of fifty members from the various counties, apportioned according to population. A motion that the senate consist of twenty-six members was defeated.

This division of senatorial representation did not meet with the approval of Mr. Toole himself, and occupied much of the attention of the body during its session. Two days before the adjournment of the convention, in a speech in the nature of a minority report, he severely arraigned the provision, which, however, was not disturbed, although the house representation was increased to fifty-five members among

the various counties, from Silver Bow with ten members to Yellowstone with one. It was also provided that the senatorial districts should be numbered and that when new counties (senatorial districts) were created, the class to which its member belonged should be determined by lot. However, this has never been done, the exigencies of politics forbidding. The first new counties created after the admission of the state were Flathead, Valley, Teton, Ravalli and Granite, by the third legislative assembly in 1893, and at the succeeding session, three Democrats and two Republicans appeared to represent these counties in the senate. The Democrats claimed to have been elected for the full senatorial term of four years, and as three of the new members would have fallen into odd-numbered districts, making their terms expire at the next election, they took no chances and declined to draw lots to determine whether they belonged to the odd or even class. The newly elected Republican members, with the refusal of the others to join with them, apparently acquiesced in the situation. During the succeeding sixteen years ten new counties were created and representatives sent to the senate, but no action has been taken to cure the failure to divide them into classes, with the result that alternately about two-thirds of the body are hold-overs.

Equal suffrage had its friends in the convention and in the section referring to suffrage, a motion was made to strike out the word "male" and after the word "person" to insert "without regard to sex," but this was defeated by a vote of 43 to 25.

Under taxation the constitution provided that the state levy should not exceed three mills on each dollar of valuation, and when the valuation of property subject to taxation amounted to \$100,000,000 it should not exceed two and one-half mills, and when such valuation reached \$300,000,000 the tax should not exceed one and one-half mills on each dollar of valuation. In 1909 it became apparent that the taxable valuation of the state that year would go beyond the \$300,000,000 limit,

and thereby, under the levy of one and one-half mills, would materially reduce the revenue of the state. Consequently, a lobby came to the legislative assembly, led by the friends of the state educational institutions, and proposed a law to submit to the people at the following election for a constitutional amendment providing that the two and one-half mill levy should stand until the valuation reached \$600,000,000, and it was passed. In the election following, the advisability of the passage of the bill providing for the proposed amendment was not the subject of much interest, and it was ratified.

Many subjects were pressed for incorporation in the proposed constitution, and many were eliminated. Hartman was opposed to making a great statute out of the document. Goddard also argued against burdening the constitution with provisions unsuited to an instrument of this character. Robinson said that any attempt to point out necessary legislation would make a volume larger than Webster's Unabridged Dictionary. A critical examination of the results of this convention will disclose much that does not contribute to the efficacy of the instrument.

On the 16th of August, 1889, the final draft of the constitution was prepared and on the next day it was adopted and signed by the members of this body, and the constitutional convention adjourned. In due course, and in accordance with the provisions of the enabling act, the labors of the body were approved by the people of Montana.

With a constitution duly ratified, Montana entered the galaxy of states, no longer embarrassed by or subjected to laws enacted by congress, which, without adequate knowledge of its resources or needs, had denied to its territorial form of government many rights which as a state it could now enjoy, subject only to constitutional restraints. It was to pass its own laws, without the necessity of memorials to a federal congress, that frequently in the past, had denied to it privileges that were not only reasonable, but essential to its welfare and growth; and it was no longer to be governed

by officials who, coming as federal appointees, had often been ignorant of its needs and strangers to its people.

The next step in the transition from a territory to a state was the enactment of laws, not only to render constitutional provisions effective, but also to meet the changed conditions following its admission into the Union.

The first session of the state legislature convened at Helena, November 23, 1889, and adjourned February 20, 1890. A controversy between the Republican and Democratic parties over the results of the preceding state election resulted in two houses of representatives, maintained during the entire session by the two parties, each claiming to be the legally elected one. A deadlock over the choice of United States senators followed and no laws were enacted during the session. In another chapter dealing with the political history of the state there will be found an account of the causes of this contest and its final results. So engrossed were the contending parties in their efforts to elect their respective candidates for the senate that this assembly failed even to pass appropriation bills. The next legislature convening January 5th and adjourning March 5, 1891, found the state embarrassed by reason of the failure of the first session to provide ways and means for the administration of government, and it hastened to enact needed appropriation bills approximating \$825,000 for the compensation of state officials, to pay other indebtedness incurred by the state since the last territorial assembly held in 1889, and to provide funds for like purposes until the third session should convene.

The constitution, as noted, had provided that the laws in force at the time Montana should be admitted into the Union should remain the laws of the state until altered or repealed. With appropriations provided to relieve the situation the second legislative assembly proceeded to pass an act providing for the assessment of property within the state and levying an *ad valorem* tax, amounting to two and one-half mills on each dollar of the valuation of all such property except such as was de-

clared exempt. A law providing for the election of presidential electors for the first time in the history of Montana was enacted. To render effective the provisions of the enabling act whereby vast tracts of land within its boundaries had been granted to it by the United States, this session passed laws under which one hundred thousand acres were set aside for the establishment and maintenance of a school of mines. The same amount was given for the support of state normal schools. For agricultural colleges to be established, fifty thousand acres were provided in addition to previous grants for this purpose. Fifty thousand acres were set apart for the establishment of a state reform school, and the same amount for the maintenance of a deaf and dumb asylum. For public buildings at the capital of the state, one hundred and fifty thousand acres were granted in addition to lands theretofore set apart for such purposes. To enable the institutions named to be organized and maintained from the revenues to be derived from the disposal of these lands, the second legislative assembly passed an act providing for the selection and location of the lands granted the state by the federal government, and for the appraisal, sale and leasing thereof. The governor, the superintendent of public instruction, the secretary of state and the attorney general were constituted the state board of land commissioners to direct, control, lease or sell the school lands and the lands granted or thereafter to be granted for the various state educational institutions under the rules and regulations prescribed by this law.

In 1889 a convention had been held at Helena, of which Lee Mantle, later a senator from Montana to the United States senate, was president, as a result of a widespread apprehension that under the land grant of congress to the Northern Pacific Railroad Company, vast tracts of mineral lands containing mines of gold, silver, copper and other precious metals might be irretrievably lost to the people of Montana, and pass to the railroad corporation. Congress in aid of the construction of the Northern Pacific, had endowed it

with land sufficient to constitute an empire. It had been granted every alternate section of land in a strip eighty miles wide along its line, through the territories it traversed, forty miles wide on each side of its right-of-way. When it failed to secure land within its grant, on account of prior possession, it was granted lieu lands instead, in another strip of land twenty miles wide along each side of its right-of-way, immediately outside of the forty-mile strip. In Montana this railway system, in its sinuous course through the state, traverses nearly eight hundred miles and within its land grant there are about twenty-eight thousand square miles. In the grant of land to the railroad, mineral land was expressly excluded and excepted, but within the boundary lines of the domain given it were vast sections of mineral land. In spite of the exception of such lands from the grant by the terms of the act passed by congress, many contests arose between the railroad corporation and miners over the question as to whether the land in controversy between them was or was not mineral. It was in aid of those who were involved in litigation with the Northern Pacific that this convention at Helena was held and that led the second legislative assembly of the state to take action and devise some method by which these lands might be preserved free from claim of title in the railroad company. The question received serious consideration at the hands of the legislature. The office of mineral land commissioner was created to be filled by appointment by the governor and the duties of the incumbent defined. He was to prepare and publish a statement of the facts in respect to the danger of millions of acres of the mineral lands of Montana becoming the property of the Northern Pacific Railroad Company. In addition to this law, a resolution was passed calling upon the governors and the legislatures of Idaho, Washington, California, Nevada, Colorado, Wyoming, Oregon, Utah, Arizona and New Mexico to join with Montana in memorializing congress to preserve the mines and mineral lands to the people and prevent their falling into the hands of railroads receiving



land grants from the government. The Montana assembly also passed a memorial to congress, wherein it was recited that the Northern Pacific Railroad Company claimed ownership to over eight million acres of mineral lands in the state, that it had already been permitted to select about two million acres thereof; that if patents should be issued therefor, these lands would be wrested from their rightful owners forever, and the resolution prayed that congress take necessary action to save to the people of the state, not only discovered, but all undiscovered mines of gold, silver and all other valuable minerals.

The story of this crisis may well be told at this point by way of digression.

Upon the appointment of the Hon. Martin Maginnis the land commissioner, provided for by the assembly of 1891, he proceeded to Washington, D. C., to aid in the adoption of such legislation as would segregate the mineral lands within the state from the public grant of lands to the railroad. After several years of earnest work, at great expense to Montana, congress finally passed laws in conformity with the demands of the people, and the miners and prospectors were apparently satisfied. Under the act of congress, Montana was divided into three mineral land districts. Three commissioners were chosen for each district. It was their duty to classify all lands in the railroad grant as mineral or non-mineral. The land classified as mineral was to be segregated from the non-mineral and to become again a part of the public domain, open to location and patent. That classified as non-mineral was to be patented to the railroad company and the company was granted the privilege of selecting lieu lands for all mineral lands set apart by these mineral land commissioners, out of its original grant. During the first administration of President McKinley the mineral land commissioners were chosen and made the classification of lands as the law provided. Familiarity with the personnel of these commissioners and the results of their work leads to the irresistible conclusion that the law, as passed by congress, did not work out as those

who earnestly advocated it intended that it should. Some of the commissioners were appointees from the East, and they were not capable of passing upon the mineral or non-mineral character of the lands to be classified. Others of the commissioners were experienced mining men, moved by a desire to perform their duty conscientiously and thoroughly, but the task was too great. The regions to be examined were vast and often difficult of access and the examination made was in many instances superficial and inadequate. Under the instructions given the commissioners by the secretary of the interior, they were to examine each forty-acre tract of land within the railroad grant. This requirement was not complied with, and it appears from an investigation of the history of this movement to save the mineral lands of Montana to the people, that it did not bring about the results expected or desired. Contests instituted after the classification was completed, demonstrated that lands denominated by the commissioners as non-mineral were and are, in fact, valuable for the minerals they contain, and the classification as made of the lands in dispute was, in many instances, set aside. In another aspect of the controversy, may be seen a result beneficial to the railroad, but disastrous to the state. Under the provision of the act of congress granting the company lieu lands, the practical effect was to give the railroad the privilege of selecting rich agricultural and timber lands in place of others of little value. It is by no means certain that this controversy over the mineral lands within the land grant of the Northern Pacific Railway Company is definitely and forever settled.

Among other laws enacted by the second session of the legislative assembly in 1891, was one providing for a state board of examiners, consisting of the governor, the secretary of state and the attorney general, for the purpose of examining all claims against the state, except salaries or compensation of officers fixed by law. A state board of pardons was created for the purpose of regulating the granting of pardons, commutations, reprieves and

remissions. The Historical Society of Montana organized in 1865, was authorized to become the historical society of the state by complying with the provisions of an act passed at this session. A board of commissioners for the care and keeping of the insane was provided for by law and its duties prescribed. In each of the first and second judicial districts one additional district judge was provided and by law their powers and duties defined. The ninth judicial district was organized and to it was assigned Gallatin county. Chouteau and Fergus counties were assigned to a new judicial district designated as the tenth. Additional laws relating to crimes and criminal proceedings were enacted and a law against "blacklisting" was passed. The first Monday of September of each year was declared to be a legal holiday and designated Labor Day. The act of 1889 providing for a code commission was amended and the duties of the commission extended. Another measure of importance enacted at this session was one regulating coal mining and providing for the protection of employees in coal mines in the state. Complying with the constitutional provision an act was passed submitting the question of the permanent location of the seat of government to the qualified electors at the next general election. Twenty-five electors in any county were authorized to place in nomination the candidacy of any town or city in the county, by filing a certificate to this effect with the secretary of state. A majority of all the votes cast in favor of a single town was sufficient to give such town or city the right permanently to be the capital of the state. Failing to select such permanent seat of government by the prescribed majority, the two candidates receiving the highest number of votes at the election of 1892 were to be the candidates for the capital at the next general election. The first proposed amendment of the state constitution was embodied in an act approved February 23, 1891. The amendment had reference to section 4, article 16, prescribing that the number of county commissioners in each county should be three and that one should

be elected at each general election. An act providing for the election of a representative in congress at the general election to be held every two years thereafter was approved on March 4, 1891.

The third session of the state legislative assembly convened January 2 and ended March 2, 1893. Aside from numerous appropriations bills passed, one of the most important laws enacted by this assembly, was an act providing for the exhibition of the resources of the state at the World's Fair held that year at Chicago, Illinois. Fifty thousand dollars were made available to carry the act into effect. To render effective previous legislation, the sum of \$7,200 was appropriated to pay for selecting and purchasing a site for and building a state deaf and dumb school. Fifteen thousand dollars were set apart to establish and construct suitable buildings for an agricultural college. A like amount was made available for a state university, and the same sum was appropriated to establish a state normal school and provide buildings for the same. A bill was passed in aid of the construction of buildings for a state school of mines and fifteen thousand dollars appropriated for this purpose. An act apportioning the state into representative districts was passed and the law prescribed that the house of representatives should consist of sixty-one members. A law to prevent the bribery of members of the legislative assembly was enacted and punishment prescribed for a violation of its provisions. Every person found guilty thereunder was subject to imprisonment in the state penitentiary for a term not less than five nor more than twenty years, or by a fine not less than one hundred dollars nor more than five thousand dollars, or by both such imprisonment and fine, and the offending party should be forever disfranchised and expelled from the legislature. Provision for the sale of timber lands belonging to the state was made and the board of land commissioners vested with power to carry out its terms. The first law in this state prescribing what should constitute a day's labor was passed by

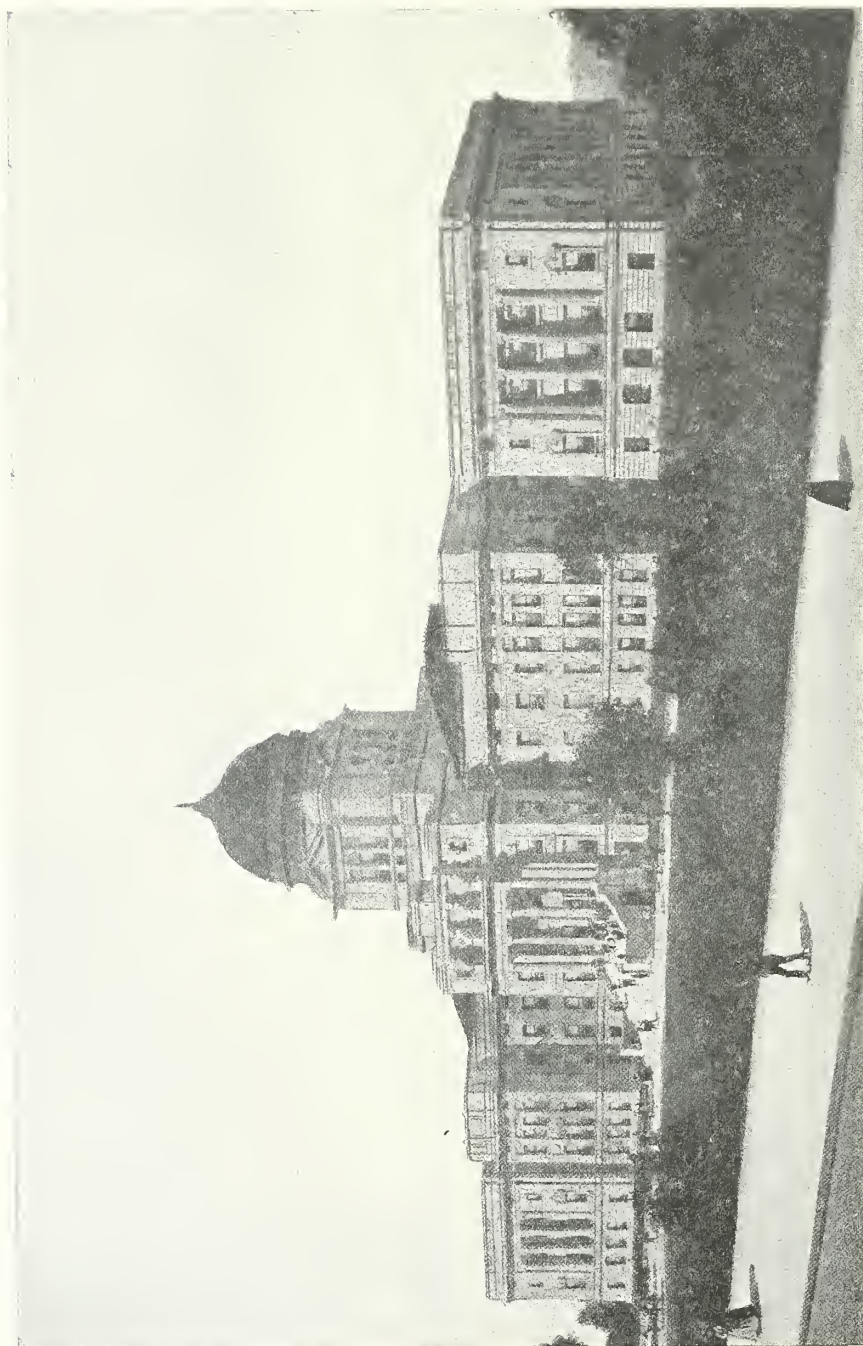


this assembly. It affected stationery engineers only and prescribed that no such engineer should operate any hoisting engine for more than eight in every twenty-four hours. All persons, including corporations, violating its provisions were punishable by fine. The existing law passed in 1889 and providing for the registration of the names of electors and to prevent fraud at elections, was by an act approved March 8, 1893, amended in many important features. Corporations carrying on the business of accident insurance on the assessment plan were authorized to do business in Montana by complying with the requirements of a law enacted by this session. The Compiled Statutes of 1889, prescribing the term of corporate existence were amended so as to permit manufacturing, mining, and commercial companies generally to exist as corporate entities for forty years. The laws relating to powers granted municipal corporations were amended in many important respects to meet the demands of the rapidly growing cities of the state. The intolerable conditions existing in Butte, owing to the roasting of ores that constantly emitted poisonous fumes, resulted in the passage by this assembly of an act enabling counties and incorporated cities, by complying with the provisions of the law, to abate injurious and unhealthy smoke and fumes. To encourage the construction of railroads into the state, railroad companies in existence or to be incorporated, were authorized to subscribe to the capital stock of other railroad companies, or by the purchase of the stock or bonds of such other companies to aid such companies in the building of their roads within or without the state. A bureau of agriculture, labor and industry was created, a commissioner thereof provided and his duties defined. The deaf and dumb school was located at Boulder, in Jefferson county. The city of Miles City, in Custer county, was designated as the place where the state reform school was to be established. The State Orphans' Home was given to Twin Bridges, in Madison county, and a bill was passed providing for the Eastern State Prison at Billings, in Yellowstone county, the old state penitentiary at Deer Lodge to

remain there and be known as the Western State Prison. The provisions of this last law were never carried out. With respect to the location of the state education institutions, a bill was enacted locating the University of Montana at Missoula in Missoula county. The Agricultural College of the state was located at Bozeman, in Gallatin county, with an agricultural experimental station connected therewith. The State School of Mines was established at Butte, in Silver Bow County, while the State Normal School was given to Dillon, in Beaverhead county. The distribution of the educational institutions among the cities mentioned was one of the results of the controversy then waging over the permanent location of the state capital. In the political bartering incident to this conflict Montana sacrificed the opportunity of possessing a centralized state institution of learning. A widespread movement to cover this mistake was started in 1913, and the question received consideration at the hands of the thirteenth legislative assembly, which will be more elaborately mentioned when the proceedings of the later sessions are discussed. This third session was noteworthy for the number of new counties organized. Flathead county was created out of the counties of Chouteau and Missoula; Valley county out of Dawson county; Teton county out of Chouteau and Missoula counties; Ravalli county out of Missoula county, and Granite county out of Deer Lodge and Missoula counties. Provisions for the government of each newly-made county were enacted, temporary county seats designated and county officers appointed until their successors should be chosen at the next general election.

Among the resolutions and memorials adopted by this assembly was one urging Montana's representatives in congress to use their influence in behalf of an amendment of the constitution and laws of the United States for the election of United States senators by a direct vote of the people; a memorial to congress urging the enactment of a law in favor of the free coinage of silver at the ratio of sixteen ounces of silver to one of gold; and





STATE CAPITOL, HELENA.

a resolution was passed for a government appropriation for the completion of the survey of agricultural lands in Montana.

The fourth session of the Montana legislative assembly is memorable as the one which finally adopted the codes. It convened at Helena January 7th and adjourned March 7, 1895. The last legislative assembly of the territory had created a code commission as recounted in another chapter. The commission thereafter reported a code of civil procedure, a civil code, a penal code and a political code. By acts passed by the fourth session these four codes were adopted and it was provided that they should go into effect on the first day of July, 1895. It was also enacted that the laws of a general nature passed by the assemblies of 1893 and 1895 should form a part of the laws of the state and provision was made for their insertion in the codes in their proper places by a code commissioner who was authorized to compile and codify them. After the completion of his labors, the law provided that the codes together with the added laws of 1893 and 1895 should be printed and bound so that they would be available by the date they went into effect. A review of the important laws passed in 1893 by the third session has already been given. The session of 1895 passed a few additional laws that were incorporated into the codes and appeared as parts thereof. Most of the additional laws of 1895 related to crimes and misdemeanors and were inserted in the penal code.

In the political code were assembled all laws pertaining to the sovereignty of the state and to the political rights and duties of all persons subject to its jurisdiction; to the political divisions of Montana whereunder the state was divided into counties; and senatorial, representative and judicial districts; to the government of the state by its legally constituted officers, and providing for elections, education, public institutions, public ways, general police, state property, mines and mining and state revenue; and to the government of counties, cities and towns.

In the civil code were collected all the laws

relating to persons, to property and to the obligations or legal duties imposed upon persons generally and arising from contract or by operation of law.

The code of civil procedure established the courts of the state, providing that the senate should constitute the court of impeachment with jurisdiction to try by impeachment, the governor and other state and judicial officers, except justices of the peace, when resolutions of impeachment were prescribed by the house of representatives. This code also provided for the state supreme court, district courts, justice courts, police courts and such other inferior courts as the legislature might establish in incorporated cities or towns, and it prescribed the jurisdiction of these tribunals. It prescribed the form of civil action for the enforcement or protection of private rights and the redress or prevention of private wrongs; provided for special proceedings of a civil nature, such as writs of review, mandate and prohibition, defined judicial evidence, who might and who might not be witnesses, provided the mode of producing testimony by affidavit, deposition or oral examination, the effect of evidence, and made certain by definition the meaning of legal terms.

The penal code defined crimes and prescribed punishment for the violation of the criminal laws, what criminal acts constituted felonies or misdemeanors; provided the procedure by which offenders should be tried; and contained the laws governing the control of the state prisons, county jails and the reform school, and other state institutions of this kind.

As a result of the labors of this assembly Montana was supplied with a system of laws, transferred from decisions of courts into statutory enactments, embodying the familiar rules of human action and rendering secure that which theretofore had been uncertain. The incoherent and contradictory provisions of the Compiled Statutes of 1887 were at last superseded by an orderly, perspicuous and symmetrical compendium of law.

A state capitol commission was established.

the duties of which were to locate a state capitol building at such place as should be located by law, to secure plans and designs appropriate for an edifice of this kind to cost not to exceed one million dollars, and to supervise the construction thereof. A soldiers' home was established and later located at Columbia Falls, and its supervision vested in a board of managers consisting of five members. To enable the state to accept the offer of the government made under an act of congress in 1894 for the purpose of reclaiming the arid lands of the United States, a state arid land grant commission was provided by law and its duties defined. The county of Sweet Grass was created out of the counties of Park, Yellowstone and Meagher; and Carbon county was, by an act passed at this session, carved out of Park and Yellowstone counties.

The fifth session, commencing January 4th and ending March 4, 1897, made the usual appropriations for the fiscal years ending December 1, 1897, and 1898, for the maintenance of the executive, judicial and legislative departments of government, and also for the construction, completion, equipment and support of the various state institutions. A controversy existing between Idaho and Montana as to the exact location of the boundary line between the two states, a commission was appointed to act with one designated by the state of Idaho, to survey and define the line by monuments of stone. By an act approved February 9, 1897, the county of Broadwater was created out of Jefferson and Meagher counties, its boundaries defined, provisions made for the organization of its county government and its representation fixed until a new apportionment of representatives should be made in accordance with the constitution. The boundary lines of Cascade, Meagher and Lewis and Clark, Yellowstone and Custer counties were re-defined and established. House bill No. 17, providing for the protection of underground miners was passed and the existing law regulating the hours of labor of hoisting engineers was amended, but in immaterial respects. A drastic gambling law was enacted, and all ex-

isting laws in conflict therewith were repealed. All property passing by will or by the intestate laws of Montana from any person who should die seized or possessed of the same while a resident of the state, subject to certain qualifications defined by law, was made subject to taxation. It is still in force and known as the inheritance tax law. The election law relating to the registration of voters as incorporated in the political code of 1895, was amended in material respects and additional provisions inserted. The militia laws passed with the adoption of the codes were repealed in part and revised and amended to bring them into harmony with the federal army bills that had been passed a short time before. The "state capital commission" law passed in 1895 was amended and authorized to issue and sell bonds to the amount of \$350,000 for the purpose of erecting a capital building. The former act establishing the state arid land grant commission was amended to enable the state to accept the benefits of an act of congress passed June 11, 1896, whereunder the reclamation of arid lands granted to Montana by the government could be more effectually accomplished by the issuance of bonds and the appropriation of money to carry the act into effect. The existing legislative powers of cities were extended so as to enable them to acquire by purchase, construction, or commendation proceedings, water plants, water supplies, franchises, public buildings and sewers. There had been passed and incorporated into the penal code of 1895, a law requiring mining cages used in vertical shafts deeper than three hundred feet to be equipped with iron bonnets. The session of 1897 amended this act and required such cages, in addition to the iron bonnets mentioned, to be equipped with doors to be hung on hinges or made to slide, and while hoisting and lowering men, the law prescribed that these doors be closed. This law is still in effect. A second time congress was memorialized by this assembly to take all necessary steps to provide for the election of United States senators by a direct vote of the people. The previous laws providing for the



erection of a state penitentiary at Billings is recalled by a resolution passed at this session directing the board of state prison commissioners to remove all material not already installed in the partly finished prison building then to be utilized in enlarging the penitentiary at Deer Lodge. A protest was sent by this assembly to Montana's senators in congress against a recent order of the President of the United States setting apart large timber reserves in Montana, on the ground that its enforcement would seriously cripple and retard its development.

Among the important measures adopted by the sixth legislative assembly may be mentioned the creation of a state board of agriculture consisting of six members, one of each to be appointed by the governor from six districts into which the state was divided for the purpose of carrying out the purposes of the law. The intent of the act was to prevent the spread of contagious diseases among fruit-bearing shrubs and trees and to extirpate fruit pests infecting fruit and orchards. The measure is still in effect and has proved to be one of incalculable benefit to a new and growing industry.

With the rapid settlement of the state the necessity of altering county boundary lines became imperative, and at this session a portion of Meagher county was added to Cascade county and the old lines altered to conform to the change. For a like reason the boundaries of Lewis and Clark, Deer Lodge and Flathead counties were changed and re-defined. The act creating the state arid land grant commission was amended and authority granted for the issuance of bonds for the construction of water systems for the irrigation of state and other lands. Counties were empowered to establish free high schools and for their maintenance every county by complying with the provisions of the act was authorized to issue bonds not to exceed in amount the sum of one hundred thousand dollars. School boards were also granted permission to maintain free kindergartens for the instruction of children between three and six years of age. An act was

adopted to provide for the organization, government and control of fire departments for cities and towns, regulating appointments thereto, and providing for the creation of disability funds for the care and maintenance of disabled firemen. The act incorporated in the political code of 1895 relating to the appraisal, sale and leasing of state lands was, in large measure, repealed, and new sections added wherein the duties of the state board of land commissioners were defined and the operation of the law rendered more practical and efficient. The law with reference to the meetings of boards of directors of corporations was amended and corporations granted the privilege of holding meetings of their trustees either within or without the state. Of all meetings held outside of Montana, certified copies of the proceedings of such boards were to be retained at the principal office of such corporations. The enactment has been found to be of great practical utility and remains the law without change. Among other legislation affecting mining corporations this assembly passed an act enlarging the powers of such companies in the disposal, sale, leasing, mortgaging, exchanging and conveying of corporate property, but it contained provisions for the protection of minority dissenting stockholders. The legal rate of interest as provided by the civil code was reduced by this session from ten to eight per cent per annum, which ever since has been the statutory rate in Montana. In the matter of appeals to the supreme court, this session amended the sections of the code of civil procedure of 1899, for the purpose of clarifying and simplifying the pre-existing law. On February 4, 1899, the Filipinos had attacked the United States Volunteers in the Philippine Islands. The First Montana Infantry was one of the regiments participating in the outbreak and this assembly then in session, passed a resolution commending the Montana soldiers on duty in the far East. Another resolution urging Montana's representatives in congress to co-operate to secure for Colonel Robert Bruce Wallace a commission as brigadier general of volunteers was also adopted.

For a third time Montana urged congress to amend the constitution to the end that senators be chosen by the direct vote of the people.

The legislation enacted by the seventh session of the legislative assembly held at the capital between the 7th of January and the 7th of March, 1901, is noticeable for the number and character of laws passed in aid of education and for the protection of the lives of those engaged in hazardous occupations and for the health of the people of the state. An act was passed authorizing trustees of school districts to levy and collect a tax upon all taxable property within such districts and to issue and sell bonds for the betterment of the school system in each district. In addition to this law, the law of 1895 was amended. A tax of two mills on each dollar of the assessed value of all taxable property within each county was provided to be collected by county treasurers in the same manner as state and county taxes were collected. There had accumulated in the state treasury proceeds derived from the land grant to educational institutions and a law was passed to enable these funds to be invested in proper and safe securities. Further generous appropriations were made for the completion and equipment of many of the state educational institutions that since the laws providing for their construction had been passed, were now either ready for occupancy or practically finished. The most important measure that became a law was an act for the protection of the health of men employed in underground mines and in smelters, stamp mills, sampling works, concentrators or elsewhere where ores were mined or refined. It is the famous eight-hour law prescribing that this period shall constitute a day's work, and providing punishment by fine and imprisonment for its violation except in cases of emergency where life or property are in imminent danger. For further protection, a coal mine inspector was provided by another act, whose duties were to see that coal mines were properly ventilated and provided with means of escape. To avoid alleged "short weight" tons of coal mined, a law was passed establishing the office

of check weighman at all coal mines, at the election of the miners, who had full authority to weigh all coal extracted. By means of this law, a method was provided to put an end to complaints among the coal miners in the state that they were not receiving full credit for coal mined. By another bill, the office of meat and milk inspector was established for the better protection of the general health of residents of cities with over five thousand inhabitants. A board of park commissioners, as a department of the city government in cities of the first class, was provided by law, and the duties thereof defined. An act was passed creating a state board of health to investigate and prevent epidemic and pestilential disease. The improvement of roads within the state received consideration, and a law was enacted establishing a uniform system of road government and administration in the different counties. An act was passed providing for farmers' institutes for the purpose of the instruction of the citizens of the state in the various branches of agriculture. The gambling laws of the previous session was repealed and a new act passed rendering gambling in Montana impossible, if enforced. The county of Rosebud was created out of a portion of Custer county, its boundaries defined and its government provided for. Powell county was also created out of a part of Deer Lodge county and its lines described. For the fourth time congress was memorialized to take necessary steps to amend the constitution and provide for the election of United States senators by direct vote of the people. The most unusual and unique law passed by this session was that providing for the forfeiture to the state the sum of thirty thousand dollars that had been deposited with the state treasurer by an investigating committee of the sixth legislative assembly, and turning this sum over to the public school income fund. In the chapter dealing with the political history of the state the story of the mysterious wanderings of this fatherless fortune will be told.

The eighth legislative assembly enacted much important legislation. A measure to pro-

vide for the appointment by the supreme court of three commissioners to be known as commissioners of that court, for the purpose of assisting in the disposition of causes pending in said court, undetermined, became a law without the approval of the governor. Under the act Henry N. Blake, John B. Clayberg, Lew I. Callaway and W. H. Poorman at different times and until the law ceased to be operative, served as commissioners. Several cities of the state had incurred an indebtedness in excess of constitutional limits, and an act was passed enabling them by special election to levy a tax yearly, not to exceed three mills on the dollar, in addition to taxes already provided for by law, until the municipal debts were paid. Exclusive jurisdiction of prosecutions for the disbarment or suspension of attorneys-at-law was conferred upon the supreme court. A law was passed providing for the designation of a district judge temporarily to hold court in another district than his own, where the elected judge in a district was biased, prejudiced or for any cause disqualified from performing his judicial duties. As imposing upon the supreme court or two of its judges, a purely ministerial or executive function, not contemplated by the constitution, and on other grounds, the act was declared unconstitutional by the state appellate court in the case of *in re Weston*, 28 Montana Reports, 207.

At this time the Amalgamated Copper Company and its allied companies were engaged in litigation of stupendous importance with F. Augustus Heinze over mines and mining rights in Silver Bow county; and it was because of this struggle pending in the courts of this county that the law was passed.

The writ of injunction frequently appealed to resulted in the closing of some of the big ore producing mines in Butte, and to amend this law, the governor called the eighth legislative assembly into extraordinary session in December, 1903. The proceedings of this session will be discussed later in this chapter.

The act of 1901 for the establishment of a uniform system of road government and administration in the counties of the state, was

virtually repealed by the regular session of 1903, and a substitute law enacted. A compulsory education bill applying to all children between the ages of eight and sixteen was passed, and industrial schools established with provisions for the control and regulation of juvenile disorderly persons. At this session an act was sought to be passed to provide for the submission to the qualified electors of the state for approval or rejection of amendments to the constitution of Montana, by the addition thereto of three sections; one prohibiting the employment of children under the age of sixteen in underground mines; another making a period of eight hours a day's labor on public works, and in mills, smelters, and underground mines, and a third providing for adequate legislation to render these provisions enforceable. This bill, although approved on March 3, 1903, was not regularly passed, and to cure the defect it was enacted at the extraordinary session in the following December. Previous legislation providing for the health of engineers and providing that eight hours daily should constitute a day's work for them was amended, and it was enacted that it should be a misdemeanor for any person, company or corporation to induce or persuade a hoisting engineer to operate a hoisting engine in excess of this period of time.

In important details the existing safety-cage law was amended and laws passed limiting the speed of cages used to lower or hoist men in vertical or incline shafts to eight hundred feet per minute. The maintenance of blacksmithshops or drying rooms for miners, within a distance of fifty feet from the mouth of any tunnel or shaft, was prohibited unless such buildings were fireproof, and penalties for violations of this act were provided. A law was enacted making it a misdemeanor for any company or corporation to compel any employee to patronize "company boarding houses." Railroad corporations were made liable in damages for injuries sustained by their servants through the negligence of certain designated employees who, prior to the passage of this law, had been classed as fellow-servants with



the injured party, and for whose neglect the corporation, therefore, had not been held responsible. By the provisions of a similar law corporations and persons operating mines, smelters or mills for the refining of ores, were made liable in damages to their employees. The Montana State Humane Society was constituted a bureau for the protection of children and dumb animals, its duties defined and the disposition of fines collected of those guilty of cruelty to children or animals, provided for.

The boundaries of Deer Lodge county were once more defined and Silver Bow county made to conform thereto. The boundary lines of Cascade county were extended and those of Chouteau county altered to conform to the change. A portion of Lewis and Clark county was added to Powell county. For the purpose of advertising and encouraging the development of the agricultural resources of the state this session passed a law providing for agricultural fair commissions in each county and county commissioners were authorized to appropriate one thousand dollars annually to pay the expenses of county fairs in every county of Montana. A measure was also adopted establishing the Montana State Fair at Helena, providing for the appointment of a board of directors and other officers to supervise and conduct its affairs. An initial appropriation of ten thousand dollars was made to enable the commission to carry out the purposes of the act.

The last Friday in May of each year was set apart to be known as Pioneer Day, for the study and discussion of pioneers and pioneer history of the region now comprising Montana.

One of the most important enactments of this session was that whereby the state, by abolishing the arid land grant commission provided for in 1895, by repealing all existing laws and by establishing the Carey Land Act Board, was enabled to accept the offer of the government under the federal law known as the Carey Act and thereby obtain title to one million acres of arid land, which by the completion of irrigation projects, have been and

are now being reclaimed and made capable of cultivation.

The most important addition to the Civil Code was an act establishing a law uniform with the laws of other states, relating to negotiable instruments. It put an end to many vexatious questions which had annoyed the courts in the trial of causes involving the interpretation of such contracts, the rights of holders, the liabilities of parties to negotiable paper and other kindred questions.

The appropriations made by this session to pay the expenses of the executive, judicial and legislative departments of government, and the maintenance of the various state institutions were approximately two million dollars, which, compared with previous appropriations of earlier legislative assemblies, showed the rapid growth of the state.

For the fifth time congress was memorialized to take all necessary steps to amend the federal constitution and provide for the election of United States senators by the direct vote of the people.

On December 1, 1903, the second extraordinary session of the eighth legislative assembly met at Helena and adjourned eleven days later. In the proclamation of Gov. J. K. Toole convening this session, were recited his reasons for so doing. He pointed out the deplorable industrial conditions existing in three of the populous cities of the state, referring to Anaconda, Great Falls, and Butte, consequent upon the cessation of operations of many large industries of Montana, which had been brought about by the frequent issuance of injunctions by the courts of Silver Bow county whereby several large mines had been closed down. He called attention to a popular demand for the passage of general legislation by which the bias and prejudice of district judges might be made sufficient legal ground to disqualify such judges from trying cases coming before them for adjudication and he also called attention to a widespread sentiment in favor of a law conferring upon the supreme court power on appeal to review the facts in equity cases. Disclaiming reflection upon the integ-

urity of the judiciary of the state, he announced his belief that with the re-enactment of laws within the purview of the call, the mines would promptly be re-opened and the unemployed provided with work and he summoned the assembly to consider the advisability of passing laws to meet the exigencies of the hour. The legislature promptly passed a measure granting to the supreme court the right of review of facts in suits of an equitable nature. Section 615 of the code of civil procedure relating to the change of the place of trial of civil actions was amended, and under subdivision 4 it was provided that when a judge was disqualified from acting, the court or judge must on motion change the place of trial, in cases in the act set forth, but if the parties agreed in writing upon another judge, or a member of the bar as judge pro-tempore, or if a qualified district judge should be called in and should within thirty days after such motion was made, assume jurisdiction of the case, then no change of place of trial should be had. In addition to existing grounds of disqualification of district judges, this session passed an act providing that when either party should make an affidavit in a cause that he had reason to believe and did believe that he could not have a fair and impartial trial before the judge sitting in such case, by reason of the bias or prejudice of such judge, then, upon the filing of such affidavit, such judge should be without authority to act further in the action, except in minor matters connected with the cause, among which was the power to transfer the action or proceeding to another court, or of calling in another district judge to act in the same. The act gave each party, plaintiff or defendant, the right to disqualify five judges. The mere conclusion of the affiant to the effect that he had reason to believe and did believe that he could not have a fair and impartial trial by reason of the bias and prejudice of the judge was sufficient. Facts proving such bias or prejudice need not be set forth or established. This law in substance has ever since remained upon the

statutes although it opens the doors to reckless swearing if something not worse.

The act providing for the amendment of the state constitution with respect to the employment of children under sixteen years of age in underground mines, and making eight hours a day's labor on public works, in mills, smelters, and underground mines, which by reason of irregularities in its passage at the earlier regular session, became a law at the extraordinary session,—eight hours to constitute a day's work on all undertakings carried on or aided by any municipal, county or state government, and on all contracts let by them. The proposed constitutional amendments were to be and were submitted to the people at the general election in November, 1904, and having been ratified, were by proclamation of the governor, dated December 8th, following, declared to be in full force and effect.

The ninth session sitting from January 2nd to March 2, 1905 passed over one hundred and fifty laws of various kinds. Among the important enactments was one determining the liability of railroads for damages sustained by their servants. It repealed the law of 1903 and rendered railroad companies liable for all damages suffered by any employee in consequence of the neglect or by the mismanagement of another employee of the company, and also for the wilful wrongs of any other employee when such neglect, mismanagement or wrongs were connected with the use or operation of any railroad on or about which they were employed. In the event of the death of any servant in consequence of any injury or damage so sustained, a right of action was preserved to his heirs or representatives.

To render operative the constitutional amendment recently adopted, a law was passed prohibiting the employment of children under 16 years of age in underground mines and providing penalties for its violation, and eight hours was by law prescribed as a day's work in all works or undertakings carried on or aided by municipal, county or state government, and in mills, smelters and in underground mines. The law of 1903 determining

the liabilities of persons and corporations operating mines, smelters or mills for damages sustained by employees, was repealed and an act passed rendering every company, corporation or individual operating any mine, smelter or mill for the refining or ores liable for damages sustained by any employee thereof within the state, without contributing negligence on his part, when such damage was caused by the negligence of any superintendent, foreman, shift boss, hoisting or other engineer or crane man. The act provided that in case of death of any such employee in consequence of injury so sustained, his heirs or representatives might prosecute an action to recover damages.

These various laws passed for the benefit and protection of those who toil are still upon the statute-book and have abrogated the fellow servant doctrine in all cases where they are applicable.

By an act approved February 7th, this session created the county of Sanders, designating its boundaries and providing for its organization and government with Thompson Falls as its temporary county seat. The county was carved out of Missoula county. By another law passed by the ninth session, an act entitled an act to correct the spelling of the name "Lewis and Clarke county" was passed, and it provided that this county should be spelled and known as Lewis and Clark. Two important bills became laws at this session. By their provisions cities and towns were authorized to create special improvement districts and to levy special assessments or authorize the issuance of special improvement warrants or bonds upon the property to be benefited whereby water works might be constructed or acquired or streets, avenues or alleys graded, curbed or paved.

An act was passed establishing a state flag and for its design prescribed the flag borne by the First Montana Infantry in the Spanish-American war with the designation of the regiment omitted. Another "flag" law enacted preventing and punishing the desecration of the American flag and prohibiting all persons from printing or painting upon it any

device or mark for the purpose of advertisement.

The code of 1895 providing that the annual salary of each justice of the supreme court should be four thousand dollars and each district judge of three thousand five hundred dollars was repealed. The constantly increasing burden of labor imposed upon the judges of the state courts led this session to increase the salary of the supreme court judges to six thousand dollars each, and each district judge was given an annual salary of four thousand.

Undoubtedly the most important law of this session was the act that provided that there should be submitted to the qualified electors of the state at the next general election a proposed amendment to the constitution providing for direct legislation and the referendum. At the election designated the amendment was adopted and by the proclamation of Governor Toole issued December 7, 1906, the amendment was declared to be in force. Thereunder the people of the state, first, reserved to themselves the power with certain specific exceptions to propose laws and to enact or reject them at the polls, independent of the legislative assembly, and secondly they reserved the power to approve or reject any act of the legislature except certain laws enumerated. The first reservation of power was designated the initiative, whereunder eight per cent of the legal voters of the state were required to propose any measure by petition, provided that two-fifths of the whole number of the counties of the state should each furnish as signers of such petition eight per cent of the legal voters in such county. It was required by the act that initiative petitions must be filed with the secretary of state not less than four months before the election at which they were to be voted upon. The second reservation of power was the referendum. It might be exercised in two ways; either by petition signed by five per cent of the legal voters of the state, provided that two-fifths of the whole number of the counties of the state should each furnish as signers of such



petition five per cent of the legal voters in such county, or, by the legislative assembly, as other bills are enacted. Referendum petitions had to be filed with the secretary of state not later than six months after the final adjournment of the session of the legislative assembly which passed the bill on which the referendum was demanded, and the veto power of the governor did not extend to measures referred to the people by the legislative assembly, or by initiative or referendum petitions.

This session also passed an act amendatory of earlier legislation providing for the nomination of candidates by direct vote at a primary election and to provide for the method of adopting such act in any county or city. Another law for the first time appearing upon the statutes book was an act regulating the speed and operation of automobiles and motor vehicles, limiting such speed on public highways outside the limits of a city, fire district, or thickly settled or business part of a town, to twenty miles per hour and to eight miles per hour within the precincts named. A penalty, of fine or imprisonment, or both was prescribed. The code provisions as to corporations was amended and corporations organized under the laws of the state were authorized to create two or more kinds of stock of such classes, designation, preferences and voting powers, as should be set forth in the articles of incorporation. Preferred stock, however, was limited so as not to exceed two-thirds of the actual capital paid in cash or property. The powers of corporations to dispose of or sell their property were enlarged by an act of this session, with provisions therein for the protection of stockholders whereby the corporate property might be appraised to prevent sales at inadequate prices. Further legislation was enacted to enable the state to enjoy the benefits to be derived under the provisions of the federal Carey Land Act to promote the reclamation or settlement of arid land within the state.

The usual appropriations for the maintenance of the various departments of state gov-

ernment and the support of its institutions were passed, and another demand for federal action was adopted to the end that United States senators be chosen by the direct vote of the people. A resolution was concurred in by the senate and house of representatives directing the attorney-general to investigate the business affairs and operations of all corporations, combinations or trusts doing business within the state, and to take appropriate action in the event each official inquiry should disclose a violation of the constitution or laws of Montana, by any person, company, corporation or trust illegally carrying on business within the state. No prosecutions were ever instituted pursuant to this resolution of the ninth session.

The labors of the tenth legislative assembly were marked by the large number of laws passed, protecting the lives of those engaged in hazardous occupations and safe-guarding the general health of the people of the state. This session convened at the capital, January 7th, and adjourned March 7, 1907. Among the important measures adopted was an act to regulate the hours of locomotive engineers, firemen, railroad conductors, trainmen and operators. No employe named in the act was permitted to be on duty for more than 16 hours, except in case of emergency. Railroads requiring such employes to work in excess of the time prescribed were subjected to punishment. To prevent a prevalent practice, that had grown up particularly in the mining districts of the state, superintendents, foremen and other designated agents and persons were rendered liable to fine and imprisonment for accepting or soliciting money or other valuable consideration for employing or promising to employ men seeking work or working for corporations, companies or individuals engaged in industrial pursuits. An act was passed providing for the better protection against fire of the lives of guests and employes in hotels, inns and lodging houses. Railroads were directed by the provisions of a law of this session, to equip cabooses with specified appliances designed for the safety of employes,

and a penalty was prescribed for a violation of the provisions of the measure. Persons or corporations operating street railways were compelled to provide cars with enclosed vestibules to protect employes from inclement weather. A law, elaborate in its provisions, was adopted concerning dependent and neglected children, and those responsible for their custody, care and support. It provided punishment for those persons legally responsible for the neglect of such children, and to carry out the provisions of the law, the district courts were given jurisdiction. Another law was adopted at this session prohibiting the employment of children in certain occupations under the age of sixteen years; providing, for the registration of the age of all children; the issuance of age certificates; forbidding the employment of such children in certain employments without such certificates; providing for the enforcement of the provisions of the act and providing penalties for the violation thereof. The act of 1905 known as the eight-hour law was amended to include and to bring within its terms those engaged in washing, reducing or treating coal, and another law extended the statutory day of work to prison guards in the state penitentiary. A law protecting the public against adulterated food stuffs was passed, and a measure was adopted prohibiting wine rooms in connection with saloons, and making it unlawful to admit females to wine rooms or saloons for the purpose of being supplied with liquor. Violations of the law were made punishable by substantial fine and imprisonment. A former act passed in 1901 providing for the establishment of a state board of health was repealed and a new law passed to remedy defects and insufficiencies in the original measure. A much needed law was passed by this session concerning delinquent children and juvenile persons, defining the same and providing for their apprehension, custody and disposition. The act prescribed the jurisdiction of the courts over the subjects covered by the measure and the legal proceedings to be taken in connection therewith. Parents, guardians and

other persons responsible for the custody, guidance, education, maintenance and control of such children, who, through neglect caused or permitted such children to violate any law of the state or any city ordinance, or otherwise violated the duties specifically imposed upon them by the provisions of the act were subject to punishment by fine or imprisonment or both. Another law looking to the material welfare of a numerous class of citizens in the state was enacted, providing for the establishment of wash houses at coal mines, to be properly lighted, heated, and supplied with hot and cold water, and the act prescribed penalty by fine for a violation of its provisions by owners, operators, or superintendents of coal mines in Montana.

All laws in conflict with a law enacted by this session were repealed and an act governing the manner of locating, recording and holding possession of mining claims upon the public domain of the United States with the state of Montana was passed. It provided for the posting of a notice of location at the point of discovery, for the marking, by trees, posts, stones, or boulders of specified dimensions, of the boundaries of the claim; for the sinking of a discovery shaft within sixty days after posting the statutory notice of location, such discovery shaft to be of a prescribed depth and size, or, in lieu of such shaft, a cut or tunnel of a given depth and dimensions, and such shaft, cut or tunnel to disclose the vein or deposits located. This law further provided for the recordation of a certificate of location within sixty days after the notice of location was posted, and such certificate had to be verified by at least one locator. The act further provided the means of locating millsites; for the re-location of abandoned mining claims, prescribing the rights of re-locators; for the amendment of location, change of boundary lines, and filing of amended certificates of location. Having for its purpose the betterment of the system of public schools and to secure more competent teachers, an act was passed creating in each county of the state, a county board of educa-

tional examiners, who should act with each county superintendent of schools in conducting examinations of teachers. One of the most important laws of this session was that passed creating a board of railroad commissioners and defining its powers and duties among which, were generally to adopt all necessary rates, charges and regulations to govern freight and passenger tariffs, to correct abuses and prevent unjust discrimination and extortion in the rates of freight and passenger tariffs on the different railroads in Montana and to make the same effective by enforcing the penalties prescribed by law. To enable owners of lands susceptible of irrigation to co-operate for the purpose of constructing necessary dams, reservoirs, ditches and canals, by which vast tracts of arid territory might be rendered capable of cultivation, an act was passed by this assembly creating irrigation districts to be under the supervision of boards of directors who were authorized to cause surveys to be made of projected districts, to locate canals, irrigation works and generally to carry into effect the provisions of the law. The question of organizing irrigation districts was to be determined at special elections to be called for such purpose and by the provisions of the law organized districts were authorized to issue bonds for the purpose of constructing necessary irrigation works. The act of 1905 relating to internal improvements in cities and towns authorizing the issuance and collection of special improvement warrants or bonds upon the property to be benefited by local improvements was repealed at this session, and a new law with added features enacted. The law of 1905 providing for the nomination of candidates by direct vote at a primary election was also repealed and it was enacted that the registration of electors and elections in all the counties of the state that had adopted the primary election law of the previous assembly should be governed by the general election laws theretofore existing. To render effective the constitutional amendments with relation to the initiative and referendum, a law was passed by the tenth assembly containing pro-

visions for the practical operation of the same, in the matters of general state legislation, and an act was also adopted providing for the initiative and referendum in cities and towns. To prevent frauds against creditors an act known as the "bulk sales law" was passed regulating sales of merchandise in bulk and providing that the vender of any stock of goods, wares or merchandise should procure from the vender an affidavit containing the names and addresses of his creditors, together with the respective amounts due to them. Failure on the part of the vender to secure such verified statement and neglect on his part to pay or to see to it that the purchase money was applied to the payment of the vendor's creditors as shown in the affidavit, share and share alike, rendered such sale fraudulent and void.

The statutory grounds for divorce already existing were augmented by a law prescribing that incompatibility of temperament should be deemed sufficient cause for the dissolution of the bonds of matrimony.

Two acts providing for the submission to the electors of the state of amendments to the constitution were passed; one relating to the care and management of public money in the hands of public officers and providing for a state depository board; and another relating to revenue and taxation and providing for an increase in the tax levy. A measure was adopted establishing a state live stock sanitary board, providing for the appointment of special deputy state veterinary surgeons and defining their duties. It also provided measures for the eradication of disease in domestic animals, their quarantine and sanitary inspection with penalties for violations of the law. Former legislation was amended by this assembly and the original act passed to foster, develop, protect and promote the sheep industry of the state, was rendered more effective in controlling and eliminating disease among sheep ranging within or being transported into Montana. A so-called Metropolitan police law was enacted at this session providing for the organization, management, control and disci-



pline of police departments of cities and towns, for the examination of applicants for membership of police departments, and for the trial and disposition of charges brought against members thereof. This law has been productive of much expensive litigation in the city of Butte, and that it has resulted in a police force superior to that existing prior to that enactment if this law is to be doubted. This session enacted a law creating the office of state fire warden, providing for the appointment of deputies and prescribing the duties of these officials. The primary object of the measure was to prevent the wholesale destruction of timber within Montana and particularly that owned by the state.

To redeem the state bonds theretofore issued for the benefit of the various state educational institutions, a law was passed authorizing the state of Montana to become indebted in excess of the constitutional limitation of \$100,000, and the state board of examiners was authorized to issue bonds in the name of the state, for such purpose, not exceeding \$500,000. This act was to be submitted to the qualified electors of Montana at the next general election. Besides this act, the usual appropriations for the years 1907 and 1908 were passed. The boundary lines of Fergus county were altered so as to include certain territory acquired by it under a law enacted in 1908, providing for the extension of the northern boundary of the county.

The volume and number of laws passed since the adoption of the codes that became effective in 1895, had made it a matter of inconvenience to courts, attorneys, and state and county officers to keep advised of the many changes, and at the tenth session an act was passed providing for the appointment of a commissioner to compile and revise the codes and other laws of the state. Under this law the governor appointed E. C. Day, a lawyer residing in Helena, as commissioner, and as a result of his labors, the revised codes of Montana of 1907 were published.

By senate joint resolution No. 1 this session petitioned congress to call a convention for

the purpose of proposing an amendment to the federal constitution providing for the election of United States senators by direct vote of the people.

The eleventh session of the state legislature was in session from January 4th until March 4, 1909. By it the first attempt was made in which the state was to become a party to an insurance scheme for the relief of injured employes working for corporations, partnerships, associations or persons operating coal mines or coal washers in Montana, or the surviving dependents of such employes is the event of their death. It provided for the creation of a state accident insurance and fatal permanent disability fund for coal miners and employes at coal washers. Under its provisions those engaged in the pursuit mentioned were to contribute to the fund, one per cent per ton on the tonnage of coal mined or shipped or sold locally during the month for which wages were paid. The employes designated in the act also contributed from their gross monthly earnings one per cent thereof. The funds so derived were to be paid to the state auditor and by him deposited with the state treasurer in a distinct fund to be known as the employers and employes co-operative insurance and fatal permanent fund, which was to be invested in safe securities. Upon proof of the death of an employe in the course of his employment the auditor was to pay to the surviving wife and child or children, in equal shares, the sum of \$6,000. If neither wife or children survived the deceased employe, this amount was to be paid to the surviving parents, dependent upon him. For employes who were injured, but survived, provisions were made for certain payments to be made to them in accordance with the severity of the injuries. This act was later declared to be unconstitutional by the supreme court of the state in the case of Cunningham, State Auditor, against N. W. Improvement Company, as depriving the employer of the equal protection of the laws, the act as passed permitting him to be sued and thus compelled to pay twice for the same injury.

Additional legislation prescribing what should constitute a day's work for telephone operators in cities and towns having a population of three thousand or more was passed, and nine hours fixed as the maximum length of time, out of every twenty-four hours, during which any such operator should labor. Unions, lessees, companies or corporations employing persons to work in excess of the time prescribed, were subject to a fine not less than \$100, or more than \$500.

The eight hour law was made applicable to jailors in counties coming within the act classifying the counties of the state, and a measure was enacted providing that all railroad employes should be authorized to summon a physician or surgeon to care for and treat all trainmen injured during the course of their employment, and railroads doing business in the state were compelled by said law to pay for such professional services. Another act to minimize the dangers incident to the construction of buildings was passed requiring every owner, person or corporation supervising the erection or remodeling of any building having more than three floors, to provide temporary floors for the protection and safety of citizens working therein. Scaffolds on the outside of such buildings were to be covered to afford protection to those working thereon and the measure extended the duty of those responsible for the erection of such scaffolds to insure the safety of persons working on or beneath the same. Adequate punishment by way of fine was provided for violation of the law. An act was passed regulating common carriers and providing for the equipment of trains with safety appliances, and the promulgation and enforcement of suitable regulations by the state railroad commission for the purpose of providing for the safety of the travelling public and employes upon railroad trains. The railroad commission was given authority to enforce the law and railroad and responsible officials thereof violating its provisions were made liable to fine or imprisonment. By another act passed at this session persons or corporations operating rail-

roads within the state were compelled to equip their locomotives with electric headlights, and penalties for its violation were prescribed. For the convenience of the public, railroads, through designated employes were compelled to report delayed trains. A law attempting to define trusts, monopolies and unlawful contracts and combinations in restraint of trade, commerce and transportation facilities was enacted and punishment for infractions of its provisions was provided by its terms. The 12th day of February in each year was declared a legal holiday to be known as Lincoln's birthday. October the 12th in every year was set apart as another legal holiday and called Columbus day.

Amending the act passed in 1903, Pioneer day was changed from the last Friday in May to the last Friday in November of each year, and a suitable course of exercises under the supervision of the librarian of the historical and miscellaneous department of the state library was prescribed for observance in the public schools. Arbor day, formerly the third Tuesday of April was changed to the second Tuesday in May of each year, upon which date such exercises as should tend to encourage the planting and protection of trees and shrubs and to stimulate the minds of the school children of the state towards the preservation of forests and the growing of timber, were prescribed, to be conducted under the supervision of the authorities in charge of public schools. A law was passed prohibiting miscegenation. All marriages between any white person and a negro, Chinese or Japanese, after the passage of the act, were declared null and void and any person solemnizing such marriages was declared guilty of a misdemeanor. Measures were enacted providing methods for the accurate sampling of ores by all persons or corporations engaged in the business of sampling or smelting mineral rock, and by another act such persons or corporations were compelled to select umpire assayers to whom should be submitted samples of all ores smelted by them.

Cities and towns were granted authority,

in addition to their existing powers, to contract indebtedness by borrowing money or issuing bonds for the purpose of purchasing and improving lands for public parks and grounds, such further indebtedness together with existing debts, however, not to exceed three per cent of the total assessed valuation of the taxable property of the city or town taking advantage of the law, as should be ascertained by the last assessment for state and county taxes; and all proposed measures to contract the indebtedness under the act, were first to be submitted to the tax payers of the city or town affected, and approved by a majority of the votes cast.

The state capitol building at Helena had been recently completed but by reason of the imperative need for additional accommodations for the numerous officials quartered therein, a law was enacted at this session providing for the issue and sale, by the state board of examiners, of bonds for the purpose of erecting wings at the east and west ends of the edifice, and to be constructed under the supervision of the board. The aggregate amount of bonds authorized was five hundred thousand dollars. Pursuant to the provisions of the law, the wings were constructed in harmony with the main building and our state capitol building now affords adequate room, for not only present, but future needs of the commonwealth.

This session imposed further duties upon the commissioner of the bureau of agriculture, labor and industry, by providing for the collection and compilation of statistics to be secured from the various chambers of commerce throughout the state, and from other commercial bodies, farmers' institutes, and similar organizations, for the purpose of disseminating information in regard to the climatic, the productive, commercial, industrial and labor resources of Montana. The publication of this information, in 1912, was one of which the citizens of the state may well be proud and reflected great credit upon J. H. Hall, under whose supervision the work was issued. Existing laws relating to the management and

control of the University of Montana, situated at Missoula, the State Normal College at Dillon, the Agricultural College of Montana at Bozeman, the State Orphans' Home at Twin Bridges, the State School of Mines at Butte, the School for the Deaf and Blind at Boulder, and the State Reform School at Miles City, were amended. Further powers were vested in the state board of education, and among these added by this act was one whereunder the board was given authority to choose and appoint a president and faculty for each of the various state institutions named. An executive board of three members for each of these institutions, two of whom were to be appointed by the governor by and with the consent of the state board, and the president of each institution acting as an ex-officio member thereof, was provided for by this measure, and such executive board was given immediate control, other than financial, of the management of the affairs of the institution over which it had supervision, subject to the control of the state board. Such cumbersome legislation was the natural and necessary consequence of having many of our state institutions located at different points, remote one from the other, at a loss of efficient and economical management.

An act for the submission to the qualified electors of Montana of an amendment to the state constitution relating to revenue and taxation was passed at this session. The law provided that the rate of taxation on real and personal property for state purposes, except as in the measure prescribed, should never exceed two and one-half mills on each dollar of valuation, and whenever the taxable property of the state should amount to \$600,000,000 the rate should never exceed two mills on each dollar of valuation, unless the proposition to increase such rate, specifying the rate proposed and the time during which the rate should be levied, should be submitted to the people at a general election and should receive a majority of all votes cast thereat; provided, that in addition to the levy for state purposes, a special levy in addition might be



made on live stock for the purpose of paying bounties, on wild animals and for stock inspection, protection and indemnity purposes, as might be prescribed by law, and such special levy should be made and levied annually in an amount not exceeding four mills on the dollar by the state board of equalization, as might be provided by law. At the following general election the amendment was adopted and, became effective by proclamation of the governor.

The act passed in 1907 providing for the creation and organization of irrigation districts, was repealed and a new law passed to correct defects in the original measure, rendering the purposes of the law more readily effective, and, by the extension of the provisions of the old act, enabling the unwatered lands within the state more readily to be placed under irrigation. To enable a state bank to become a national bank under acts of congress, a law was passed by the eleventh session permitting this change by a surrender of its charter as a state bank. The act further enabled such an institution to increase or reduce its capital stock, and under its provisions, a national bank was enabled to become a state bank. The law with reference to the jurisdiction of notaries public was repealed, and the jurisdiction of these officials was made co-extensive with the boundaries of the state. Under the earlier law, a notary public possessed jurisdiction only within the county wherein he resided.

An act was passed by this session providing for non-partisan nominations for judicial offices. Thereunder, instead of by convention or primary, it was provided that such nominations were to be made in the manner following: A certificate of nomination, containing the name of a candidate for the office to be filed, his residence, his business, his business address, and the office for which he was named, with other information prescribed, and signed by a certain designated number of electors residing in the state had to be filed with the secretary of state, and so filed, had the same effect as a certificate of nomination made

by a party convention or primary meeting. This law in the case of *State ex rel, Holliday, relator, against O'Leary, respondent*, was declared unconstitutional by the supreme court of Montana for the reason that it was incapable of being made to operate uniformly throughout the state and for the further reason that the title of the act did not clearly express its purpose.

The act of 1907 relating to the disqualification of judges was amended to the extent of limiting to two, the number of judges who could be disqualified by the parties to an action or proceeding, regardless of the number of plaintiffs or defendants. The office of road supervisor in counties of the first-class was abolished, and an act repealing all existing laws in conflict therewith was passed placing highways and bridges in counties of the class named, under the supervision and control of the county surveyor, whose duties and powers were defined by the measure. For the better protection of public moneys and to render effective the provisions of the amendment to the state constitution creating a state depository board, a law was enacted empowering such board to designate the banks within the state in which public funds in the hands of the state treasurer should be deposited, and the banks so named were under this law, required to agree to pay interest thereon and also to place with the state treasurer, to secure such deposits, United States bonds, or bonds of the state of Montana, or county, school, municipal bonds, or the bond of a surety company authorized to do business in the state. Pursuant to the provisions of the act passed in 1907 authorizing the state to become indebted in excess of \$100,000 and to provide for the issuance of bonds for the redemption of bonds theretofore issued for the benefit of the state educational institutions, a law was adopted at the eleventh session empowering the state board of examiners to issue bonds to the total amount of \$158,000, in addition to bonds theretofore issued, amounting to \$384,000 and making a total of \$542,000 issued and to be issued. The proceeds derived from the sale

of the bonds issued were to be deposited to the credit of the maintainance income funds of the various state educational institutions.

A comprehensive law was passed at this session, repealing previous acts, creating the state board of land commissioners composed of the governor, superintendent of public instruction, secretary of state, and attorney-general, which was to manage and control all lands belonging, or to be acquired by the state, including the rental and sale thereof, and the management, protection and disposition of the timber growing thereon, the coal, oil, and minerals therein, and for the management and control of the funds arising therefrom. The act further provided for the acquisition of water rights for use on state lands, and prescribed the duties of the state board and subordinate officials appointed thereunder; such as a state forester, and five wardens whose duties were to prevent and extinguish forest fires.

For years, a portion of the Bitter Root valley had been infested with a tick whose bite was productive of the so-called spotted fever which had usually proven fatal to human beings. To investigate the cause and cure of this disease, this session appropriated \$6,000 to pay the expenses to be incurred by specialists and experts appointed by the measure.

Indicative of public opinion prevailing with respect to the classification of the mineral lands within the land grant to the Northern Pacific Railroad Company, to which reference has been made, this session passed a resolution petitioning the congress of the United States to enact a law providing for a just, honest and thorough re-classification of all lands within the railroad grant, and calling attention to the fact that the original classification had been shown to be misleading, worthless, made without full knowledge of the laws pretended to be classified and denouncing it as "inaccurate and devoid of merit."

An *ad valorem* tax for state purposes amounting to two and one-half mills on each dollar of the valuation of all property of the state liable to taxation, for the years 1909 and

1910 was passed, and appropriations for the support and maintenance of the legislative executive and judicial departments and of the various state institutions of the state, were made.

Another new county named Lincoln was created, its boundaries defined, and its organization and government provided for.

An act to approve, legalize and adopt the division and arrangement of the revised codes of 1907 was passed and this session adjourned.

The twelfth session of the Montana legislature, meeting January 2nd and adjourning March 2, 1911, was the most prolific in quantity of legislation enacted of all of the assemblies to that date. It would serve no useful purpose to review all of its labors. Among the important bills that were enacted into laws was the Donlan bill, fathered by Sen. Edward Donlan from Missoula county, and commonly known as the "White Slave Law." Its object was the prevention of the prostitution of females and providing punishment therefor. That it was worthy of the approval of the legislative assembly that passed it has been amply demonstrated by the numerous convictions had under its provisions. The existing eight-hour law was amended so as to include within its protection, men working in railroad tunnels. Marking the trend of public sentiment in favor of affording further protection to those engaged in hazardous occupations, earlier legislation on the subject was made more sweeping and an act was passed imposing liability upon every person or corporation operating a railroad in the state, for injuries sustained by any employe and in case of his death, giving his personal representatives, for the benefit of the surviving widow, husband and children, a cause of action in damages resulting in whole or in part from the negligence of any of the officers, agents or employes of such persons or corporation in or about the handling, movement or operation of any train, engine or car, or by reason of any defect or insufficiency due to negligence, in cars, engines, appliances, machinery, track,

roadbed, works, boats, wharves, or other equipment. Under this act, the existing rule of the common law that contributory negligence on the part of the injured or deceased employe prevented recovery, was annulled. Such negligence did not prevent recovery, but the rule of comparative negligence was adopted—damages to be diminished by the jury in proportion to the amount of negligence attributable to such employe, and it was a proviso of the act, that no such employe, injured or killed, should be held to have been guilty of contributory negligence where it was shown that the violation by any person or corporation operating such railroad, of any statute enacted for the safety of employes, contributed to the injury or death. It was further provided that such injured or killed employe should not be deemed to have assumed any risk incident to his employment when such risk arose by reason of the negligence of the employer or any person in the service of such employer. Another law reflecting the trend of sentiment prevailing, not only in Montana, but generally throughout the United States was that providing for a commission form of government for cities and for the election of officers therein and defining their duties and powers. Still another act was passed revolutionizing the old time political machine methods of nominating candidates for election to the United States senate. Thereunder it was provided that candidates for such office should be voted for by the electors of the state in the same manner as candidates for state offices; that certificates of the result of such vote should be transmitted by the governor to the legislative assembly, whose duty it was to elect a senator, for its information and guidance, and providing for the filing of pledges by candidates for members of the house of representatives, or the senate of the state legislative assembly in reference to whom such candidate would support for United States senator if elected. Under this act, the qualified electors for the state vote for "preferential" candidates for senator from Montana and with the voice of the people for

their guidance, the members of the legislative assembly, with few exceptions, find it expedient, political or right, to cast their votes for the senatorial candidate indicated as a result of public opinion expressed at the polls.

The state board of examiners was authorized to expend the entire amount of bonds authorized by the eleventh session and aggregating \$650,000 for the construction and completion of the wings of the state capital building. The board of directors of the Montana State Fair was empowered to acquire 135 acres of land adjoining the existing site of the state fair grounds. This session made an appropriation of \$5,000 for the purpose of assisting in the erection of a monument within the state capitol to perpetuate the memory of the late Wilbur F. Sanders and for a commission to carry out the provisions of the law. With added contributions from the pioneers and through the generosity of Sen. W. A. Clark, owner of the largest bronze works in the country engaged in casting statues of such character, the monument was finally finished and dedicated September 24, 1913. An act was passed creating the county of Musselshell and carving the newly made county out of Fergus, Meagher and Yellowstone counties. Roundup was designated as the county seat. It is a matter of interest to recall that the second territorial legislature created the county of "Muscelshell" and fixed the county seat at Kercheval City in 1866; that the following territorial assembly changed the name of this county to Vivion county with its county seat at Smithton; and that, with the annulment of the laws of this session by act of congress, the name of a county by this name sank into oblivion until revived by the act of the twelfth session of the state legislative assembly of 1911. A memorable law passed as this session was one establishing a law school at Missoula to be conducted as a department of the state university, and to be known as "the Law Department of the University of Montana."

Congress by an act approved May 11, 1910, had created in the northwestern part of Mon-



tana a national play ground known as the Glacier National Park. This session ceded jurisdiction over all the territory included within this park, except the right to serve civil or criminal process therein and the additional right to tax persons and corporations, their franchises and property, on lands within its boundaries.

A new apportionment act was passed fixing the membership and representation of the several counties in the house of representatives of the legislative assembly and designating the number of the members thereof. Based upon the government census of 1910 one representative from each county for each 4,800 persons in such county, or fractional part thereof, in excess of 2,400 persons, was the ratio of representation, but each county was entitled to at least one member, and each new county to be created was to have one member until otherwise apportioned. To carry out the investigation of the nature and source of Rocky mountain spotted fever and to effect its prevention and cure, five thousand dollars was appropriated and the state board of health was authorized to designate a suitable specialist to conduct the work. In the matter of further municipal legislation a law was passed authorizing cities to create districts for lighting streets and providing means for assessing a portion of the cost of such improvements against the abutting property and the remainder of such cost against the city at large.

As added security to those doing business with unincorporated banks doing business within the state, this session enacted a bill into a law providing for the examination by the state bank examiner of all such institutions.

The Leighton bill, so called, introduced and fathered by Senator Leighton, of Jefferson county, became a law March 6, 1911. Thereby one-half of the qualified electors of a proposed new county were empowered to present a petition to the county commissioners of the county from which the proposed new county was to be formed, or in the event such county was to be formed out of more than one county, then to the county commissioners

of the county from which the largest area of territory was to be taken for the formation of the proposed county; praying that such new county be organized under the provisions of the act. Such petition, upon notice, was made the subject of discussion at a specified time and place and those in favor of or against the creation of such county were granted a right to be heard. Thereafter, at a special election provided for by the act, the proposition of organizing such proposed county was voted upon, and if, upon the canvass of votes cast, it appeared that sixty-five per cent of the votes cast, where the new county was formed from one existing county, or that sixty-five per cent of the votes cast in the territory taken from each county, where two or more existing counties were involved, were in favor of the formation of the proposed county, thereupon such county commissioners by resolution were directed to declare the county created under the name given to it, and upon the filing of a certified copy of such resolution with the secretary of state, the new county was under the terms of the act, deemed fully created and organized. No new county could be established which would reduce any other county to an assessed valuation of less than five million dollars, nor could any new county be formed which contained an assessed valuation of property less than four million dollars. It is needless to go further into detail as to all of the requirements of the Leighton act, but from the brief statement made, a general idea of the method of county organization under it may be gathered.

Simplifying the election laws as to the registration of electors in county, cities, towns and school districts, this session passed an act providing for the creation of election precincts, the prevailing requirements for the registration of voters were done away with and a more convenient and orderly method adopted by the use of permanent official registers kept by county clerks.

The most voluminous act passed by the twelfth session was one regulating the operation of coal mines in Montana. It was, in ef-

fect, a codification of all pre-existing laws relating to the industry of coal mining, to the state officials connected therewith and to the protection of miners engaged in this hazardous occupation. The law creating the state board of horticulture and defining its duties was amplified and by amendment the powers of the board extended so as more effectually to permit the beneficent purposes of the act to be carried out.

From the humanitarian aspect the most noteworthy legislation passed by this assembly was that establishing a state hospital to be known as the "Montana State Tuberculosis Sanitarium" for the treatment of tuberculosis, unfortunately so prevalent among the underground miners of Montana. It was located at Warm Springs and the sum of twenty thousand dollars was appropriated for a site and for constructing and equipping the necessary buildings. In aid of this worthy project, a resolution was adopted praying that congress donate fifty thousand acres of the unappropriated lands of the United States for the support of the institution. Further protecting the general health of the people former legislation on the subject was repealed and a comprehensive act was passed forbidding the manufacture or sale of adulterated or misbranded foods or drugs and defining the duties of the state board of health with relation to the same. Under it, local and county health officers and food inspectors were provided for and the slaughter of animals and their preparation for food were regulated by the law. Tuberculin tests of all dairy cattle were required and all persons conducting any business in which food products were handled were required to procure licenses from the state board of health. A state chemist was also provided for by this measure to act with the board and it was authorized to make all proper rules and regulations to carry into effect the provisions of the law. Adequate funds were appropriated to enable it to be enforced and penalties were provided for violations thereof.

Another noteworthy law was written into the statutes of Montana by the twelfth ses-

sion. It was an act to promote industrial education. Under its provisions, all school districts having a population of more than five thousand were compelled to, and districts of less population were empowered to, maintain at least one manual training school suitably equipped and designed to furnish manual and industrial instruction to pupils.

An act to prohibit and regulate the issuance of reduced or free transportation by common carriers, and providing penalties for its violation was passed at this session. Sixteen different classifications of persons not included within the provisions of the law and to whom free transportation could be issued without violating its provisions were specifically enumerated, covering presumably such individuals as were in the employ of the common carriers mentioned in the act, or engaged in philanthropic or humanitarian enterprises that required railroad transportation.

From early territorial days the insane asylum at Warm Springs had been a privately owned institution and operated by the proprietors under contract with the territory and state. The twelfth session passed a law looking to the purchase of this property by the state and providing for an appraisal commission to investigate and report with respect to the reasonable value of this property owned by Mitchell and Mussigbrod, the purchase of which had been recommended by the report of a joint committee of the house and senate, to be procured partly for cash and the balance with a state bond issue. To enable the property to be acquired, another act was passed authorizing the state board of examiners to issue bonds in the name of the state of Montana to an amount of six hundred and fifty thousand dollars in excess of the constitutional limitation of indebtedness of one hundred thousand dollars, such bonds, or the proceeds thereof, to be used to acquire the Warm Springs property. To pay the interest on such bonds and to redeem the same, the act provided for an annual levy of one-fourth of a mill on the dollar on all taxable property in the state to be held by the state treasurer in a fund desig-

nated as the "State Insane Asylum Bond Fund." The law further provided that when the purchase price of the property had been arrived at as provided by the act, and before any funds had been expended, the question of whether such purchase should be made by the state at such figure should be submitted at the general election to be held in November, 1912, to the electors of the state for decision. The proposition was favorably acted upon by the people, a majority of whom voted to acquire the property for state insane asylum purposes and the purchase was finally consummated.

The existing laws of the state governing the organization, regulation, maintenance and discipline of the National Guard of Montana were repealed and a law framed with the design to render the state guard more efficient and more readily capable of being made a component part of the regular army, was passed. It was introduced by State Senator Donahue, a member of the Second Montana Infantry, N. G. M., and largely through his efforts became a law. Invoking the initiative and referendum, a movement instituted mainly by labor unions of the state, was started to render the act inoperative, and at the next regular election, at which the question was presented to the qualified voters for decision, the campaign begun to defeat the measure proved successful.

The office of state fire marshal was created at this session and his duties defined. Chiefs of fire departments of cities and villages, by the provisions of the law, were to render him assistance in investigating the cause and origin of fires occurring within the state. The act proving inadequate to produce the results desired, was amended at the next session.

The appropriations made by this session for state expenses exceeded three million dollars. Among memorials to congress was one praying that needful action be taken to amend the federal constitution so as to provide for an income tax, and congress was also petitioned to appropriate fifty thousand acres of unappropriated lands of the United States within

Montana in aid of the state insane asylum at Warm Springs.

During the interval between the adjournment of this session and the convening of the thirteenth assembly, there were initiated under the provisions of the initiative and referendum, four bills, which were submitted to the qualified electors of the state at the general election held in November, 1912. They all became laws. One was a measure popularly known as "the Corrupt Practices Act," whereunder election expenses of candidates for office were limited, and the law defined, prohibited and provided punishment for corrupt and illegal practices in nominations and elections. It further contained provisions seeking to secure and protect the purity of the ballot; provided for furnishing information to the electors and for the manner of conducting contests for nominations and elections. Another law thus adopted was one providing for the expression by the people of the state of their preference for party candidates for President and Vice President of the United States, to presidential conventions and the nomination of presidential electors by direct vote. A third measure was initiated and adopted by the electors of the state whereunder members of the legislative assemblies of Montana were instructed to vote for and elect candidates selected by the people of the state, for the positions of United States senator. The fourth bill, initiated and rendered effective by the vote of the people, was one providing for party nominations by the direct vote of the qualified electors of the state.

The thirteenth legislative assembly convened January 6th and adjourned March 7, 1913, each branch occupying, for the first time, its new legislative hall in the enlarged capitol building at Helena. Both senate and house were Democratic, with a Democratic governor as chief executive. Moreover, insofar as this session was concerned, most of the legislation pledged by the Democratic party was substantially the same that the defeated political parties had also advocated. The old-time method of selecting a United States senator was no



longer to delay proceedings, and when the time arrived for the election of a senator from the state, Hon. T. J. Walsh,—the preferential candidate—was promptly chosen. The failure of this session to carry out all of its campaign pledges was due to the character of some of the legislation promised, and to many dissensions in the house which prevented harmonious co-operation among the representatives. The promise of the passage of a law providing for compulsory compensation by employers of those engaged in hazardous occupations, who were injured in the course of employment, and the payment of compensation to their families or surviving dependents, in case of death, was not easily to be fulfilled, for although several states had enacted laws of this kind, these acts differ in principle and method of enforcement; some falling within the class of state insurance, others being simply compensatory in character. Almost all of this kind of legislation deprives the master of the defenses of contributory negligence on the part of and assumption of risk by the servant, and also the negligence of the fellow-servants of the employee, injured or killed. Acts designated as state insurance measures are those imposing upon all persons, corporations or associations engaged in specified occupations, a tax regulated usually in amount by their total annual pay-roll, which is to be paid by them to the state in any event and regardless of the question of their negligence. The fund derived from such taxation is paid to the injured employee in a certain amount, or, in the event of death as a result of injuries sustained by the servant, then to his family or surviving dependents.

The so-called Murphy bill, the Cutts bill and the O'Shea bill were measures substantially of this class. Employers of labor opposed this character of compulsory compensation, on various grounds, chiefly because the master, free from negligence, was compelled to pay for the negligent acts of other employers; that such legislation would not tend to minimize accidents or fatalities among workingmen engaged in the occupations cov-

ered by the act, but would place a premium upon negligence, rather than tend to increase the degree of care among the employers of labor. Such were the practical objections to the proposed measures. The constitutionality of such laws was also a mooted question, and for this reason also the bills were condemned. On the other hand, a bill, commonly called the Minor act, was designed to impose a penalty directly upon the employer whose negligence has caused the injuries or death, without compelling contribution from other employers free from negligence. This bill received the support of employers of labor, but its opponents were numerous among the members of the assembly, and sufficient strength to enact this measure could not be mustered. The Murphy bill, fathered by Representative Murphy, of Silver Bow county, was the first to be introduced in the house. It was framed in accordance with a compulsory compensation act in force in the state of Washington. It had the support of the labor unions of the state. The Cutts bill, introduced by Representative Cutts from the same county, was later introduced in the lower branch of the assembly. Senator O'Shea, of Carbon county, introduced another bill. The so-called Minor bill, introduced in the house by Senator Minor from Deer Lodge county, in theory was similar to measures in force in the states of New Jersey and Oregon. The house passed the Murphy bill, but the senate rejected it. Owing to dissensions arising by reason of the conflicting measures pending in the senate and house, a committee was appointed to bring the upper and lower branches of the assembly together on some compromise act. This was passed by the senate, but the house failed to agree to it, and took up the consideration of a substitute bill of its own. All efforts by way of compromise or substitute bills, failed to effect the passage of any legislation upon the subject, and the session adjourned without enacting a compensation measure.

On February 8th the house, realizing that the session was half over and that little had been done to advance the so-called platform

measures, took steps to accelerate the passage of many bills introduced to cover the subjects enumerated in the platform upon which this assembly had been elected. A public service commission law was passed and in due season approved by the governor, making the existing board of railroad commissioners, ex-officio, a public service commission for the regulation and control of certain enumerated public utilities embracing within this term all corporations, individuals and associations which owned, operated or controlled plants or equipment within the state, for the production or sale of heat, light, power, water, telegraph or telephone service or street railway service. The commission was vested with authority, subject to appeal to a court of competent jurisdiction, by the utility affected, to fix just and reasonable rates, tolls and charges made by the utilities defined by the act, and was given power to hear and determine complaints made that rates, tolls or charges made by such utilities were unjust, unreasonable or discriminating; or that service given by the utilities named was inadequate, insufficient or otherwise violative of the provisions of the measure. In the event of negligence or violation of any of the laws of the state on the part of any of the public utilities comprehended by the act, the commission was given authority to inquire into the same and make report thereof, to the attorney-general. All accidents resulting in the injury or death to any person, were made the subject of investigation, and all public utilities were required promptly to report the occurrence of such accidents to the commission. For violations of its provisions, this measure prescribed suitable punishment by way of fine and power was granted to compel compliance with its provisions and with the orders of the commission, by proceedings in mandamus, injunction or other civil remedy, subject to the right of appeal by the utility affected, to the courts of the state. The sum of fifteen thousand dollars was appropriated to carry out the provisions of the law.

Another act, imposing additional duties upon the state board of railroad commissioners was

one introduced by the committee on railroads and transportation, whereby railroad companies owning, operating or using tracks within the state were compelled to install and maintain safe crossings at all places where their main lines, spurs or switches intersected or crossed public highways; and also, subject to the final determination of the commission upon an investigation of the facts, to maintain such crossings at more than one place in all cities, towns or villages of more than three hundred inhabitants, when a petition for such crossings, signed by at least one-half of the business men of such city, town or village, was presented to any railroad company coming within the purview of the law.

House Bill No. 278, introduced by Representative Lovelace, of Park county, although not within the provisions of the public utilities act, may properly be mentioned here, as it imposed additional duties upon the railroad commission in making investigations to the end that all federal and state laws intended to safeguard the lives of employees engaged in the operation of railroads, be complied with; and this commission was, by the act, directed to make report and complain to the proper officer, federal or state, of all infractions of such laws and to prosecute the same. Another measure introduced by the same member of the house, and similar in its purposes, was enacted into a law. Its object was to regulate common carriers, and to provide rules and regulations looking to the safety and convenience of the traveling public and shippers upon railroad trains, compelling railroads within the state to install suitable platforms and stations; providing for the construction of connecting tracks where the line of one railroad crossed, intersected or paralleled another; requiring the construction of industrial or commercial spurs to industries; providing for the apportionment of joint freight rates; and compelling the construction or extension of public loading or unloading tracks, stock yards, stock chutes or stock pens. This act vested in the railroad commission certain powers with relation to the enforcement of the provisions of the law and

gave the state courts jurisdiction to enforce the rulings of the commission with the right reserved to all parties affected, to trial by jury and appeal. Violations of the act were provided for the fine of those found guilty of infractions thereof.

By another bill introduced by Representative Murray, of Cascade county, and passed by this assembly, the railroad commission was granted general supervision and control of navigation in the state, the office of inspector of navigation was created and his duties defined as to the inspection of steamboats and vessels generally. Senator Stout, of Fergus county, also fathered a bill, likewise passed, requiring railroad companies to maintain suitable crossings at the intersections of public roads with their tracks, and under another measure, introduced by Senator Stevens, of Chouteau county, railroads were required to erect platforms for commercial purposes. To effect compliance with these laws the railroad commission was vested with power to order railroad companies failing to comply therewith to show cause why they should not be ordered to meet the requirements of these measures.

House Bill No. 105, introduced by Representative Lovelace, and responsive to the promise made by the dominant political party, was enacted by this session. Under its provisions a state tax commission was created to be composed of the governor, the secretary of state, the state treasurer, the attorney general, the state auditor and one other member to be appointed by the governor, to be known as the state tax commissioner. The member thus to be appointed was also made an ex-officio member of the boards of county appraisers provided for in the act. To carry out the purposes of the law, the state tax commissioner was empowered annually to appoint three reputable citizens in each county of the state who were to constitute a board of appraisers in such county. The law prescribed the duties of these county boards, and they, with the assistance of the state tax commissioner, were authorized to appraise all real estate, mer-

chandise and other property in their respective counties. Such appraisements were to constitute the true value thereof, and thereupon a full report of such appraisements was to be furnished by the county boards to the state board of equalization; to each county board of equalization; to each county assessor and to the state tax commission. Corporations doing business in the state and enumerated in the act, were compelled to furnish annually to the state tax commission verified statements containing such information as would assist in rendering the true value of their corporate property ascertainable. It was made the duty of each county assessor to assess all property appraised by the state tax commission and county boards of appraisers, at the valuation fixed by them, boards of equalization alone having power to raise or lower the state tax commission appraisement. County boards of equalization, furnished with the appraisement of the state tax commission, covering property in their respective counties were, in any changes made therein, to follow as nearly as was equitable the state tax commission appraisement, to the end that the rate of taxation throughout the state would be uniform. Provisions were made for the enforcement of the law, punishment provided for its violation, and an appropriation was made to carry it into effect.

Among other bills introduced was the so-called Grain Classification law, which was passed and approved February 27th; and another measure known as the Grain Warehouse and Elevator law was enacted. Under the former act, a department of record for the inspection and weighing of grain was established, to be known as the state grain inspection department. Thereunder, the office of chief grain inspector was created. It was the duty of this official to have general supervision of the inspection and weighing of grain as provided by law; to establish rules and regulations for the handling, inspection, weighing and storage of the same, and for the management of public warehouses. He was also vested with the power to investigate all com-



plaints of fraud or oppression in the grain trade and to correct the same. The act provided, further, for a supervising inspector in each city, town or place in the state where there was one or more public warehouses doing business, and it was made the duty of such inspectors to visit all elevators and railroad tracks and to supervise all inspections of grain. Supervising weighmasters were also provided for under the act, for the purpose of securing correct weights on all grain weighed by the department. Assistant inspectors, assistant weighmasters and all other employees necessary to the conduct of the office of the chief inspector, were authorized under the provisions of the law, to be appointed by the governor. The chief inspector was directed to furnish public elevators or warehouses, upon request, with standard samples of the different grades of grain as established by official inspection. The measure provided a system of fees to be collected for the inspection and sampling of grain in the car, for inspecting grain out of elevators, for weighing into warehouses and for manifold other duties covered in detail by the law. A grain grading commission was also created, to be appointed by the governor, the duty of which was, annually, to establish a grade for all kinds of grain bought or handled within the state. Inspectors to act at such terminals and receiving points for grain outside of the state were provided for, and it was part of their duties to protect the interests of the grain raisers and shippers of Montana. The second act mentioned, and supplementing the law last reviewed, was passed to provide a summary method whereby the right to erect grain warehouses and elevators on the rights of way of railroad companies in the state could be procured. Persons, firms or corporations desirous of constructing grain warehouses or elevators on such rights of way, for the purchase, sale, shipment or storage of grain for the public, were granted the right to institute legal proceedings in the nature of proceedings in eminent domain, and thereby procure an

easement for the construction and maintenance of such buildings.

The Leighton County Organization bill passed by the assembly of 1911 was amended to enable new counties more readily to be created. The existing law required 65% of the votes cast at elections held to determine county division to create a new county. The law passed by the thirteenth session reduced this percentage to 51%. The former act provided that no new counties should be established which would reduce any county to an assessed valuation of less than \$5,000,000, nor should any new county be formed which contained an assessed valuation of property less than \$4,000,000 as shown by the last preceding assessment of the county or counties from which the proposed county was to be taken. House bill, number 332, introduced by Representative Brower of Missoula county, amending the old law, provided that new counties could be organized if the assessed valuation of any county out of which the proposed county was to be carved, was not reduced to less than \$5,000,000, and such new counties might be created provided the assessed valuation of property therein was not less than \$3,000,000. The attempted creation of several new counties by the thirteenth session may be noticed at this juncture. A bill was introduced by Senator Edwards of Rosebud county to create the county of Wibaux out of Dawson and Custer counties. Another bill was introduced by Senator Leary of Lincoln county to create the county of Wheatland out of the counties of Meagher, Sweet Grass, Musselshell and Fergus. A third bill was introduced by Senator Boardman of Dawson county to create Richland county out of the county of Dawson; and a fourth bill was introduced by Senator Survant of Valley county to create the county of Clay out of the counties of Blaine and Valley. The four bills were passed by the assembly, but, subsequent to adjournment, were vetoed by Governor Stewart, who, in exercising this constitutional prerogative, justified his action for several reasons. Upon the question of the right of the legislative assembly

to create new counties by special act, in view of the county organization law in force, he took the position that the assembly acted without authority. Justifying his disapproval of the acts upon this and other grounds, the governor, in his veto message accompanying each law, said in part:

"The second consideration involved has to do with the manner of the passage of the bill. An intimate knowledge of the conditions which existed in the legislature during the pendency of this bill convinces me that the measure could not have been passed by the two houses alone and standing solely on its own merits—not but what it may have merit amply to justify its passage, and to spare. The point which I wish to make is that it was not that merit which determined its fate. The same is true also of each of the four county division or creation bills now before me. A combination was formed which included the friends of each bill.

"I make the bold assertion that without that combination no one of the bills would have reached the executive office. Not only was there co-operation between the friends of the different county bills, but there was 'legislative log rolling,' which influenced many measures entirely foreign to county division. Bills, which otherwise would have had an entirely different fate, were passed or defeated by the influence of county division alliances, the fact being that this class of special legislation influenced general legislation in so marked a degree as to be apparent to the most casual observer—and yet this condition might not be potent enough to move me to veto, but for the third, and to my mind, an all-sufficient reason.

"Above and beyond the question of whether the legislature can create a new county by special act, the fact is that the people can do so themselves. There is a general law in force in Montana, which was enacted two years ago. That law is effective. It has been tested in the court and in the field. Three new counties have been created in accordance with its provisions—created by the people affected, cre-

ated by those who must bear the burdens and responsibilities of county government, and who will enjoy the fruits thereof. This, to my mind, is right and proper. It is in accord with the popular sentiment of 'let the people rule,' and it is 'home rule,' and it is in contradiction to the conditions existing in the legislature, where a vast number of members voted for the creation of counties from territory which they had never seen, except perhaps through the triple glass in the window of a modern, fleeting Pullman car. If it is a fact that a legislator, under these conditions, can cast and does cast a more intelligent vote than would a score or a hundred citizens of the affected territory, acting under a general law which affects all alike, my reasoning is wrong and my conclusions necessarily so. I cannot bring myself to believe in the latter theory.

"Much as I dislike to exercise the veto power, I feel impelled to do so in this case, and therefore, transmit the bill with my disapproval of the same."

Under the general County Organization Law passed at the twelfth session, Hill county was created out of the County of Chouteau on the 28th of February, 1912, with Havre at its county seat. By similar procedure on the following day, Blaine county was carved out of Chouteau, and Chinook designated as the county seat. In like manner, Big Horn county, taken from portions of Yellowstone and Rosebud counties, was created, January 13, 1913, with Harden as its county seat.

It may be a matter of interest to recall that the first session of the legislative assembly of the territory of Montana created a county of Big Horn which included all of the territory not included within the confines of the counties of Missoula, Deer Lodge, Beaverhead, Madison, Jefferson, Edgerton, Gallatin and Chouteau.

Sheridan county, carved from the counties of Dawson and Valley, was created on the 24th day of March, 1913, at which time the certified evidences of a compliance with the general law were filed with the secretary of state. Plentywood was chosen as its county

seat. On the same date the county of Stillwater came into existence with Columbus as its county seat. This new county was carved from the counties of Sweet Grass, Yellowstone, and Carbon.

The organization of additional counties will undoubtedly follow quickly upon the heels of the last counties named. The creation of Richland county, out of Dawson and Custer; of Pondora, from Teton; of Wheatland, from Fergus, Meagher and Sweet Grass; of Phillips, from Blaine and Valley; of O'Fallon from Custer; of Lake from Flathead, Missoula and Sanders; with still another from Gallatin, Jefferson and Madison, and one to be carved out of Lewis and Clark, Teton and Cascade, is being agitated.

For the maintenance of state institutions of learning a measure was passed providing that there be submitted to the qualified electors of Montana at the next general election a proposition to fix the rate of taxation for a period of ten years on real and personal property for the purpose of raising revenue for the support of state educational institutions.

This session enacted a so-called "Blue Sky" law. Thereunder the office of investment commissioner was created. Every corporation, company, co-partnership or association, offering or negotiating for the sale of, taking subscriptions for or selling to any person in the state, stocks, bonds or other securities, except government, state or municipal bonds, or stock of state or national banks located in Montana; or of building and loan associations or corporations not organized for profit; or notes secured by mortgage on real estate in Montana (and other corporations specifically described in the act and engaged in similar business as therein defined) were designated in this measure as investment companies. Such companies, and stock-brokers, likewise defined under the measure, were prohibited from transacting business of the character mentioned without obtaining a permit from the state investment commissioner. Such permit was to be procured upon the payment of a fee therefor, and furnishing the commissioner with

certain specified information from which the commissioner was to determine whether such companies were solvent, and their proposed methods of business were just and equitable, promising a fair return on the securities offered for sale. If such showing was made by the applicant for a permit to do business, the license was granted; otherwise not. An appeal from an adverse ruling of the commissioner was, by this law, granted to the applicant denied the right to transact the business defined under the law; such appeal to be taken to the state board of examiners. Investment companies and stock-brokers were compelled to furnish quarterly statements to the investment commissioner showing their financial conditions, assets, liabilities and such other information as required of them. All books, accounts and other records of the companies affected by the act were, at all times, subject to the examination and investigation of the commissioner, and he was vested with general supervision and control over all such companies and stock-brokers licensed under the law. All advertisements, pamphlets and circulars issued in the conduct of business by all investment companies or stock-brokers were first to be approved by the commissioner. Licenses issued to them were subject to revocation when it appeared to the commissioner that their assets did not equal their liabilities or that they were carrying on business in such a manner as to jeopardize the interests of stockholders or investors in the stocks, bonds or securities sold by them. Violations of the provisions of the law were declared to be felonious and punishable by fine or imprisonment or both.

In a general way the so-called platform pledges of the Democratic party have been reviewed in the preceding résumé of the legislative labors of the thirteenth assembly, but much additional legislation was placed upon the statute books, and the more important measures will be briefly discussed. Among other laws, miscellaneous in character, enacted at this session was one providing for the establishment and maintenance of a general uni-



form and thorough system of public free schools. It was essentially a codification of the school laws that had theretofore been passed by preceding assemblies. Since the beginning of statehood, every legislature has enacted some measure concerning our public school system, with the result that there was much confusion and ambiguity in the school laws. This measure was the result of the labors of a commission previously appointed to codify all existing laws, remedy defects therein and formulate a systematic school law, and it was passed as introduced by the committee on education, substantially without change or amendment. Under the provisions of another measure introduced by Senator O'Shea of Carbon county, it was made the duty of the state examiner to examine the books and accounts of school districts of the first and second class.

Legislation reflecting the national awakening in favor of better roads was passed at this session, and a General Highway law was prepared and introduced by Senator Abbott of Gallatin county. The public highways of the state were classified, and for the purpose of raising revenue for the construction, maintenance and improvement of highways, the boards of county commissioners of the various counties were directed to levy and cause to be collected a general tax of not less than two nor more than five mills on the dollar. A road tax of two dollars per annum on each male person over the age of 21 and under the age of 50 years, resident within each county, was likewise provided by the act, applicable generally, except where incorporated cities or towns had by ordinance provided for the collection of like general and special taxes for road, street and alley purposes. Boards of county commissioners were authorized to issue, on the credit of the respective counties of the state, bonds for the purpose of raising revenue required in addition to the taxes provided, to construct or improve certain of the roads classified under the measure; the amount of such bonds being limited by the provisions of the law. These boards were given gen-

eral supervision over highways and were directed to divide their respective counties into road districts and to place each district under the charge of a road supervisor whose duties were defined. Among other provisions of the act were those defining the "laws of the road," providing penalties for infractions thereof and limiting the speed of automobiles to thirty miles per hour, outside, and to twelve miles per hour, within the limits of cities, fire districts and thickly settled or business portions of towns; and all existing laws in conflict with this act were repealed.

The committee on roads, highways and bridges also introduced a bill for an act to establish a state highway commission to consist of a professor of civil engineering of the Montana State College of Agriculture and Mechanic Arts; the state engineer, and a civil engineer experienced in the art of road building to be appointed by the governor. Under the provisions of the act it was made the duty of the boards of county commissioners of the different counties of the state to prepare road maps showing all public roads in the respective counties, and to submit recommendations as to such roads as were deemed of sufficient public importance to justify improvement. From these county maps, a state map, prepared by the commission was provided to be made, to the end that systematic and intelligent general road construction and improvement could be made. To supply funds for road purposes, there was created a state highway fund, and the highway commission was, by the act, authorized to apportion, among the several counties, such amounts of money as were estimated necessary to carry on road construction and improvement for each year.

In line with this character of legislation, congress was memorialized to enact federal laws for the construction of a system of paved public highways connecting the capitals of the various states with the national capital, with each other and with the principal national parks. And here, a law fashioned after that in force in the state of New York, known as the "Montana State Motor Vehicle Law," and

providing for the registration, identification and regulation of motor vehicles operated and driven upon the public roads and highways of the state, may be reviewed. It was introduced by Representative Largey from Silver Bow county, an enthusiastic advocate of good roads. Theretofore, Montana had no adequate state law upon this subject. Under this measure, all owners of vehicles defined in the act, were compelled to file with the secretary of state an application for registration, and upon payment of the statutory fee, a state certificate was issued to each applicant. Thereby each vehicle was properly identified. The law provided for certain equipment in the way of brakes, horn or signalling device, lamps, etc., for the protection of pedestrians. The Largey bill as passed was inconsistent with the provisions of the General Highway law, fathered by Senator Abbott, for it placed no specific limitation upon the speed of automobiles in or outside of cities or thickly settled communities, providing merely that all motor vehicles should be driven at a rate of speed no greater than was reasonable and proper, having regard to width, traffic and the use of the highway and the general rules of the road. Under the Largey act, chauffeurs, also, desiring to operate motor vehicles, were compelled, as were owners of cars, to secure certificates of registration. Provisions for the punishment of infractions of the law were made, and all money collected under the act or paid into the state treasury was to be used for the improvement, maintenance and repair of public roads and highways of the state, to be apportioned in like manner as the state highway fund.

The boundary lines of Lincoln, Gallatin, Flathead, Missoula and Sanders counties were altered and re-defined.

The thirteenth assembly contributed its quota of legislation designed to ameliorate the conditions surrounding those engaged in manual labor and to afford greater protection to life and limb. House bill, number 31, introduced by Representative McNally of Silver Bow county, became a law. It provided

that 9 hours out of every 24 hours should constitute a day's work for all females employed in any manufacturing, mechanical or mercantile establishment, and in laundries, hotels and restaurants in the state. Employers of labor in the establishments mentioned were compelled to furnish suitable seats for all female employes, and for violations of the provisions of the law, punishment by way of fine or imprisonment in a county jail, or both, was prescribed. The existing law with reference to the protection of street car employes was amended, by a measure introduced by Representative Norton of Silver Bow county, so as to require all street cars to be equipped from November 1st to May 1st, with enclosures to protect such employes from exposure to inclement weather, except that open or summer cars need be equipped with wind shields only. Two bills, introduced by Senator Byrnes of Lewis and Clark county, and duly enacted into laws, went further and provided that street and trolley cars should be equipped with certain specified braking devices, and during the winter months, front enclosures or vestibules of such cars should be heated.

Among a number of miscellaneous laws enacted may be mentioned one establishing a statutory standard apple box; an act making it a felony for any person to violate the bodies of children under the age of 16 years; and the governor was granted authority to appoint a special deputy humane officer to look after the welfare of all children either adopted or placed in private homes. An existing law prohibiting common carriers from issuing free transportation or selling tickets at reduced rates to persons therein classified, was amended and emasculated. Under the law passed by this session the ban was lifted as to other persons classified therein, and the act permitted free passes or reduced rates to be issued to the executive, legislative and judicial, and to other enumerated officers of the state, upon application made by the secretary of state therefor. A usury law was passed, making twelve per cent per annum the maxi-

mum rate of interest in the state. For the better protection of game animals and birds, the Sun river game preserve was set apart and its limits defined. It was made a misdemeanor for any person to hunt, trap, kill, capture or molest animals or birds, or to discharge firearms within the boundaries of the reservation, except that the state game warden was authorized to issue permits to capture animals and birds for scientific purposes and to kill mountain lions, wolves and other predatory animals or birds of prey. Under a measure introduced by Senator Groff of Ravalli county elk, Rocky mountain goats and sheep were protected, and an open and closed season in certain counties of the state were provided until October, 1918. Under a bill introduced by Senator Whiteside of Flathead county the office of state parole commissioner was established, to be filled by appointment by the governor, and the term of such office was fixed at four years. It was made the duty of this officer to co-operate with the warden of the state penitentiary, and the superintendent of the state reform school in recommending paroles, in assisting prisoners paroled to secure employment; and under another measure fathered by the same senator, persons convicted of certain offenses might be given the benefits of a suspended sentence, and the supervision and care of such persons were vested in the state board of prison commissioners. A law prohibiting unjust discrimination tending to destroy competition and providing punishment for infractions of the act by fine not less than \$200.00 nor to exceed \$10,000.00 was introduced by Senator Larson of Teton county and placed upon the statute book. Boards of county commissioners, pursuant to a measure introduced by Senator Whiteside, were authorized to levy an *ad valorem* tax for the purpose of establishing and maintaining county fairs. The act of 1911, providing for a commission form of government for cities was amended and thereby cities that had operated for more than one year under such form, were, upon complying with the requirements of the amendment, authorized

to abandon such government and once more conduct their municipal affairs in conformity with the general laws of the state applicable to them. The state office of fire marshal had been established by the twelfth assembly, but the original measure was of little practical advantage owing to the lack of power granted to this official. Senator Dearborn of Granite county introduced a measure amending the former law and vesting the fire marshal with drastic authority to remove dangerous structures which were a fire menace to other buildings or property. Senate bill, number 156, was enacted into law, whereby the act of 1909 providing for the creation, organization and government of irrigation districts in the state was amended with respect to the debt-incurring powers of boards of commissioners or other officers of irrigation districts; concerning delinquent sales of lands for unpaid taxes or assessments; and a section was added providing for the issuance, upon delinquent sales made, of debenture certificates to the irrigation district wherein lands so sold were located, and other sections intended to render the operation of the general irrigation law more effective. A bill was introduced by Senator McKenzie of Hill county relating to special improvements in cities and towns. It became a law and under its provisions former laws relating to this subject passed by seven preceding assemblies were repealed, and the powers and limitations of cities and towns to make such improvements newly and clearly defined. By the provisions of House Bill No. 75, introduced by Representative Working of Lewis and Clark county, the age of consent of females was raised and fixed at eighteen years, and the crime of rape newly defined.

During the session of the thirteenth assembly a concerted movement, finding much support throughout the state, was begun to effect the consolidation of all of the state educational institutions. Reflecting this sentiment, a bill was introduced in the senate by Senator Whiteside, but such was the opposition to it that it failed to pass the upper branch of the



legislature. Senator Leighton of Jefferson county thereupon introduced a bill, the purpose of which was to effect a consolidation of educational interests rather than to bring all of the state institutions together at one place. The Leighton bill provided that the State University at Missoula, the College of Agriculture and Mechanic Arts at Bozeman, the School of Mines at Butte, the State Normal School at Dillon, and such departments of said institutions as might thereafter be organized, should constitute the University of Montana. As such, the control and supervision thereof should be under the state board of education which was empowered to employ a chancellor of the university who should reside in Helena. This bill further provided that graduates from any of the various institutions named should be awarded degrees or diplomas from the University of Montana, and the state board of education was directed to prevent unnecessary duplications of courses of instruction in the different educational departments of the institution scattered over the state. The Leighton bill, essentially a compromise measure, was enacted into a law. It was merely a step towards true consolidation. Consolidation of interests, rather than that of the state institutions themselves, will not solve the controversy that has been waging and will continue to present itself in the future.

House bill, number 20, introduced by Representative Harmon of Gallatin county, was passed to enable the various state educational institutions to accept real and personal property by donation, gift, grant, devise, or bequest, and to authorize gifts, donations, grants, bequests, devises and testamentary disposition of property to be made to the state and to the institutions named. Under the statutes theretofore existing, the supreme court of the state had held that neither the state nor state institutions could lawfully be the beneficiaries of residuary bequests left to them by will.

Another department of the University of Montana was created under the provisions of a law fathered by Representative Higgins of

Missoula county, and a Forestry School was established to be conducted as a part of the state institution of learning situated in the city of Missoula.

To enable the state to take advantage of a bill pending in the congress of the United States, whereunder it was provided that, if Montana would establish and maintain an agricultural, manual training or other educational or public institution upon the lands where Fort Assiniboine was located, prior to the abandonment of this army post by the federal government, the state might acquire such lands and the buildings thereon for a nominal sum; a measure, introduced by Representative Carnal of Hill county, was adopted providing for the establishment upon these premises of a Northern Montana Agricultural and Manual Training College and Agricultural Experimental Station. Under another act, known as the Asbridge bill, a State Grain Laboratory was established in connection with the Montana Agricultural Experimental Station. The purpose of this laboratory was scientifically to carry on the study of the milling and baking quality of wheat raised in the state, and of the germinating capacity, quality and purity of field crop-seeds grown in Montana.

Passing to other measures enacted by the thirteenth assembly, and worthy of comment, was a law enacted whereby adequate compensation was provided for mayors and aldermen of incorporated cities of the state. The annual salary of a mayor of a city of the first class was raised, not to exceed \$4,000.00; that of a mayor of a city of the second class was limited to \$2,000.00; that of a city of the third class, to \$600.00; and aldermen in the cities of the classes mentioned were granted increase of pay for attendance upon sessions of the council. A state board of veterinary medical examiners was created, its duties defined and penalties fixed for violations of the provisions of the law. For the purpose of permitting only competent trained nurses to pursue their profession of nursing the sick a law was enacted authorizing the governor to appoint a board of examination for nurses to

pass upon their qualifications. Existing laws were amended by a law proposed by Representative Sullivan of Jefferson county prohibiting counties and towns from issuing more than one license for every five hundred inhabitants for the sale of intoxicating liquors and providing other regulations under which such licenses should be granted. The existing department known as the bureau of agriculture, labor and industry was abolished at this session and two independent departments created to be known as the Department of Agriculture and Publicity and the Department of Labor and Industry. A commissioner of each department was provided. Both bills creating these state agencies were introduced by Representative Gould of Madison county, and provided that the duties therefore performed by the commissioner of agriculture, labor and industry should be segregated and given supervision by the two commissioners named. The State Board of Entomology was created, to be composed of the state entomologist, the secretary of the state board of health and the state veterinarian. Its duties were to investigate and study the dissemination by insects of diseases among persons and animals and to take steps to eradicate and prevent the spread of Rocky mountain tick or spotted fever, infantile paralysis and all other infections or communicable diseases transmitted by insects. As heretofore recounted, the state had become the owner of the Insane Asylum at Deer Lodge, and for its supervision, this session passed an act introduced by Representative Lemmon of Deer Lodge county, creating the state board of commissioners for the insane, to be composed of the governor, the secretary of state and the attorney-general; prescribing its duties and powers; providing for the appointment of a superintendent and assistant superintendent of the institution, and fixing their terms of office, salary and qualifications. The state dairy commissioner was another office created at this session. The act providing therefor defined his duties to be the inspection of creameries, dairies, and butter, cheese, condensed milk and ice cream factories, and all places where milk

or cream or their products were produced, handled or stored within the state; and it was his duty to prohibit the sale of unclean or unwholesome dairy products, and to investigate complaints made as to the sale thereof, with authority to condemn the same for food purposes. The act further defined a standard for milk, cream, butter, cheese, ice cream, oleomargarine, butterine and other imitations of butter and cheese, prohibited the sale of adulterated dairy products, provided regulations for the handling of the same and for the punishment of violators of the measure. Under the provisions of a bill introduced by Representative Rhoades of Flathead county, and enacted into a law, the secretary of state was declared to be the state sealer of weights and measures. Sealers of weights and measures of municipal corporations were made deputy sealers under the act. The purpose of the measure was to prevent the use of false or short weights or measures within Montana. Punishment for infractions of the law was provided. For the first time in the history of the state, a residence for its chief executive was provided by a law appropriating \$20,000.00 with which to acquire a suitable executive mansion, and the state furnishing board was empowered to carry out the provisions of the act. The existing law with reference to preventive relief by way of injunction was amended and it was provided that, in addition to the statutory grounds under which injunctions could not be granted, such relief must be denied in labor disputes "under any other or different circumstances or conditions, than if the controversy were of another or different character, or between parties neither or none of whom were laborers or interested in labor questions." A state athletic commission was created under the provisions of a measure introduced by Representative Kiley of Silver Bow county. Thereunder it was enacted that the governor should appoint three persons as members of the commission to hold office for the term of five years. This commission was vested with the sole direction, management and control of all boxing and



sparring matches and exhibitions to be held in the state, and no such exhibitions could be held except with its authority. Clubs, corporations or associations seeking to conduct boxing or sparring entertainments were compelled to make application to the commission for licenses. All boxing exhibitions were limited to twelve rounds, and the act regulated weight of gloves to be used. All contestants were required to undergo a physical examination to determine their fitness to engage in the proposed encounter. Sham matches were prohibited. The act also provided that ten per cent of the total gross receipts from each exhibition were payable into the office of the state treasurer. From this revenue the expenses of the commission and the salary of its secretary were to be paid. Any surplus amounting to more than \$5,000.00 was to be apportioned by the governor to any fund designated by him. All expenses incident to the operation of the law were to be met by the revenues arising from exhibitions held, and the state was expressly relieved from any obligation to pay any part of the same. This measure was designed to permit clean, wholesome sport without expense to the state. In approving the law the governor postponed the date on which it was to be effective to enable those opposed to the measure to circulate petitions under the initiative and referendum law, for the purpose of rendering the act inoperative until the next election.

A most important measure was enacted by this assembly whereby a proposed amendment to the state constitution was to be submitted to the qualified voters of the state at the general election to be held in November, 1914. Senate bill, number 1, introduced by Senator Stout of Fergus county, was entitled: "A bill for an act entitled: 'An act for the submission to the qualified electors of the state of Montana of an amendment to section 2 of article IX of the constitution of the state of Montana relating to the rights of suffrage and qualifications to hold office.'"

The constitutional amendment, if adopted at the next general election in 1914, will then

read: "Every person of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all general elections and for all officers that now are, or hereafter may be, elective by the people, and upon all questions which may be submitted to the vote of the people: First, he shall be a citizen of the United States; second, he shall have resided in this state one year immediately preceding the election at which he offers to vote, and in the town, county or precinct such time as may be prescribed by law; provided, first, that no person convicted of felony shall have the right to vote unless he has been pardoned; provided, second, that nothing herein contained shall be construed to deprive any person of the right to vote who has such right at the time of the adoption of this constitution; provided, that after the expiration of five years from the time of the adoption of this constitution no person except citizens of the United States shall have the right to vote."

A memorable resolution was passed by this session and approved by the governor on the 7th of February, 1913, whereby the proposed amendment to the constitution of the United States authorizing the direct election of senators by the people of the several states was ratified by the legislature of Montana. It will be recalled that for many years congress had been memorialized by the Montana assemblies to take such action as would effect this result, but it was not until this amendment was formally submitted by the sixty-second congress, subject to the necessary ratification of at least thirty-six states, that the constitutional change in the method of election of United States senators could become effectual. For more than sixty years proposals had been made to alter the federal constitution so as to provide for the direct election of senators, but it was not until June 24, 1911, that the senate of the United States was induced to give its consent. On April 8, 1913, the legislature of Connecticut ratified the proposed amendment, and the last of the



states required to give effect to it was secured.

Three bills introduced before the thirteenth session were the subject of much discussion, but were finally defeated. One was to levy a tax of two and one-half mills on the dollar, on copper, zinc and lead. Another was to impose a direct tax on mines in the same way realty is taxed. A third bill was introduced having for its purpose the removal of the state fair from Helena to Great Falls. Its consideration created much discussion and ill-will and at last failed of passage.

For the support of the executive, judicial and legislative departments of government, the maintenance of state institutions, and for other miscellaneous purposes, this session appropriated approximately \$3,700,000. The estimated income of the state for the years 1913 and 1914, out of which this vast sum is to be paid, will be about \$3,200,000, leaving an apparent deficit of almost \$500,000. The state board of examiners has found it necessary to

suspend certain appropriations to await a more definite estimate of possible revenue to be available during the period named. No previous assembly has appropriated so much money.

Out of approximately six hundred measures introduced in both houses, about four hundred were reported adversely in committee or failed of passage. Two hundred and ten bills were passed and submitted to the governor for consideration, and of these six were vetoed by him. The usual number of ill-advised measures made their appearance, and it is to the credit of the thirteenth assembly that most of them were killed in committee room or defeated on the floor of the senate or house.

The labors of this session were completed shortly before the publication of this work, therefore a fair criticism of results cannot be made now. The impartial perspective of time, the crucial test of usage must determine their faults and merits.

## CHAPTER XX

### THE POLITICAL HISTORY OF MONTANA

The political history of Montana began in Beaverhead county, for at Bannack City, the first seat of government was established in 1864, and the first legislative assembly convened there on December 12th of that year. The Organic Act passed by Congress providing for the creation of Montana territory authorized the governor to cause a census of the voters to be taken, to divide the territory into council and representative districts and to apportion the voters of the new territory among them. The first election held under the proclamation of Governor Edgerton was on October 24, 1864, and thereat a member of congress was chosen and also members of the first legislative assembly, and certain territorial officers. The Republicans, or as they were also called, the Union party, nominated Wilbur F. Sanders for delegate in congress and named candidates for the legislature and for district and county offices. The Democratic party likewise placed a ticket in the field, nominating Samuel McLean as a candidate to oppose the nominee of the Republican, or Union party, for the short session in congress. The first territorial campaign opened with the respective strength of the two parties never before tested in any election, and the excitement of that campaign was intensified by the peculiar local conditions prevailing. Differences of opinion, politically, were irreconcilable and bitter owing to the existence of the War of the Rebellion. Many of the residents of the territory had come from southern states and naturally were in sympathy with the southern cause. On the other hand, numerous supporters of the Union, coming from the northern states, were to be found among those who were to participate in Montana's first

political campaign. These were, for the most part, Republicans and gave their support to the Union party. The partisanship of the respective adherents of the two opposing parties soon displayed itself. Political meetings were held in every community in the territory, and the causes that had led to the war were made issues of the campaign. In his message to the first legislative assembly the governor, dwelling upon the war, said:

"Although we are far removed from the scene of strife which is devastating one portion of our country, we cannot be indifferent to the result of the struggle. We are a part of the great American Nation, and a part of that Nation we must ever remain. Her interest, her prosperity and glory must ever be dear to the heart of every loyal man. This unhallowed rebellion had its origin in the lust for power and the insane desire to extend and perpetuate human bondage. For years this conspiracy had been plotting, till at length under the imbecile administration of James Buchanan it threw off all disguise and assumed the defiant attitude of treason. Beginning in crime and perfidy, it has sought to establish its power by atrocities the most inhuman and appalling. Ignoring the long established rules of civilized warfare, it has prosecuted the war with a fiendish ferocity that would put to blush the most uncultivated savages. When this war commenced, many in the loyal states, from a long political association with the leaders of rebellion, felt no little sympathy with their cause, and in most of the European governments they had active and influential advocates; but as the war progressed their friends have deserted them and they no longer hope for assistance from the northern states

or recognition from abroad. The issue is fully made up between loyalty and treason; the opposing armies are in the field to decide the question by the wager of battle, and between them there is no middle ground. The people of the United States have decided with singular unanimity, in their recent election for the prosecution of this war which was inaugurated by rebels, until every portion of the country acknowledges the supremacy of the Constitution."

The sentiments expressed proved highly distasteful to some of the Democratic members, and it was forthwith referred to a committee of the council consisting of Frank M. Thompson, E. D. Leavitt from Beaverhead county, and Charles S. Bagg of Madison county. Bagg, as chairman, made a report expressing views at variance with the sentiments of the governor, but Leavitt offered a resolution supporting adherence to the cause of the Union and it was finally adopted by the council. This incident is narrated to show what slight provocation would call forth bitter antagonism, and without an appreciation of the condition of mind in which the voters of the young territory entered the first campaign of 1864, it is difficult at this time to understand, how seemingly irrelevant issues controlled political results. In spite of the partisanship of those times the elections were honestly conducted and bribery was unknown. Speaking of early political campaigns, Hon. Martin Maginnis says: "Our campaigns were conducted largely at our own expense and there was not money enough expended in any one of them to finance an ordinary convention in these later and more mercenary days. The greatest expense for any that I recall was about \$1,200. The miners and pioneers mostly knew each other and in most camps the votes might have been dropped in and counted out of a hat so far as fairness was concerned. There was no corporate influence, and the man who tried to buy a miner's or other citizen's vote took chances of being knocked down."

At the election held October 24, 1864, Samuel McLean defeated W. F. Sanders. The

official returns in those primitive times were not preserved with due care, and the vote for delegate in congress is a matter of dispute. The records in the State Historical Society give McLean 4,665 votes, and Sanders, 2,199 votes. A. B. Keith compiling the results of early congressional elections, gives McLean 3,899 votes, Sanders, 2,666 votes, and 299 votes rejected; but both agreed upon a total of 6,864 votes cast at this election. The Democrats attributed their success to the method of campaign pursued by the leaders of the Union party in charging their opponents with disloyalty. That the political contest was a heated one is amply established by a perusal of the newspapers of those days, and the verdict of an impartial reader must be that, on both sides, the political discussions were not lacking in invective and denunciation. The excitement of the times and the partisanship of the leaders of the parties were but necessary results of the conditions, and the outcome of the election of 1864 would not have been materially changed had the discussion been amiable and polite without the bitter personalities that characterized the struggle.

The members of the first legislative assembly convened at Bannack on the 12th day of December, 1864. The membership of this assembly may be found in the appendix. Robert Lawrence (Republican) was elected president of the council, and George Detwiler (Republican) was chosen speaker of the house. A review of its labors may be found in the chapter dealing with the organization of the territory. At this time among the leaders of the Democratic party were Sample Orr, E. W. Toole<sup>1</sup>, W. Y. Pemberton, Thomas Thorough-

<sup>1</sup> Edwin Warren Toole was born in Savannah, Missouri, March 24, 1839. Here he passed his boyhood days attending the public schools. Later he attended the Masonic College in Lexington, Missouri. In 1863 he came to Montana, residing here until his death. He achieved a brilliant reputation as one of the foremost lawyers of the territory and state, being on one side or the other of many of the most important suits that were tried before the state and federal courts during his long and active practice before the bar. He was a Democrat, running



man, R. C. Ewing, Alexander Davis, Samuel Word, N. J. Bond, W. L. McMath, Samuel McLean and Ansell Briggs.

In the month of September, 1865, the second election of a delegate in congress was held. Samuel McLean was renominated by the Democrats and G. E. Upson was nominated by the Republicans. The approximate vote cast at this election was as follows: McLean, 3,808 votes; Upson, 2,422 votes. Within the period of time beginning with the 5th day of March, 1866, and ending December 15, 1866, the second and third (extraordinary) sessions of the legislative assembly were held pursuant to proclamations issued by Acting Governor Thomas Francis Meagher, who arrived in Montana after the election held in September, 1865. The fate of these two sessions has already been told in the chapter just mentioned.

The next election of a delegate in congress took place on September 2, 1867. The Democrats nominated J. M. Cavanaugh and W. F. Sanders was nominated as the candidate of the Republican or Union party for this office. In the month of September, 1866, there had arrived in Montana a man who was destined to lead the Democratic party to victory in many future campaigns. He was Martin Maginnis. He gave his support to Cavanaugh, being elected as a delegate to the Democratic Territorial Convention, where he was chosen to advocate Cavanaugh's cause as against Alexander M. Woolfolk whose champion was William Y. Pemberton, a popular and able lawyer, later chief justice of the state supreme court and now librarian of the Historical and Miscellaneous Library of Montana. Cavanaugh was elected, receiving 6,418 votes as against 5,178 votes cast for Sanders, as one purported official return shows, while other reputable sources of information give the result of this

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for Congress in the early days of the territory, as narrated in the text of this chapter. He felt his defeat keenly and thereafter assiduously followed his profession. He died on the 17th day of May, 1905, at Helena and was buried in Forestvale cemetery. He was a brother of Joseph K. Toole, with whom he practiced law for many years.

election as follows: Cavanaugh, 6,004 and Sanders 4,896. Seen through the perspective of time it is now a matter of interest to quote the views of some of those who were actively engaged in the political strife of that period and to compare the relative estimates of the abilities of the party leaders then contesting on the political battle field of early Montana. Colonel A. K. McClure, author of a book published in 1869, entitled: "Three Thousand Miles Through the Rocky Mountains," and who participated in the campaign of 1867, says: "We devoted the evening to a free discussion of national politics in general and Montana politics in particular. If any ambitious eastern orator supposes that it is an easy task to declaim to the people of the mountains, and that any sort of speechmaking will be accepted as a treat, he would do well not to attempt to carry his theory into practice. I have never been before audiences in the East where political questions were better understood than by the people who compose public meetings in Montana, and I can conceive of no worse place for pretentious stumpers than just here. They not only detect the want of fitness for the task of enlightening them, but they are merciless in exposing it on the spot. Every public speaker in this region must be prepared for any questions the audience may see fit to propose, and it is deemed no breach of propriety for a Democrat to get up at a Republican meeting, after the regular speakers are through and reply to the speeches. This was done at Sterling by a Democratic candidate, who directed his answer to Mr. Claggett, the silver-tongued orator of the mountains; and I have never listened to a more chaste, eloquent and logical speech than was his reply. Cavanaugh and Sanders, the rival candidates for congress, are both singularly gifted on the stump, and as skillful as able; and almost every portion of the territory can turn out campaigners who would rank with our ablest disputants in the old settled states."

Hubert Howe Bancroft, the historian, says: "Cavanaugh is described as a man of good abilities, but he did not seem to have used them

for Montana. He was a lawyer by profession and was the first delegate from Minnesota. In 1860 he came to Colorado, residing at Central City, until he went to Montana."

Martin Maginnis' estimate of the men prominent in the campaign of 1867 is as follows: "Wilbur F. Sanders was the Republican candidate. He had been the counsel of the Vigilance Committee and had taken a great part in its work of punishing the robbers and murderers of the early days. He was an intense partisan, and the chief issue in the campaign was over the nullification by congress of all the laws and acts of two sessions of the legislature. He had accomplished this at Washington in those turbulent times by denouncing the Democrats of Montana as rebels and traitors and unfit to exercise the right of self-government. Cavanaugh was an adventurer, but a wonderfully eloquent man, and in the matter of blackguarding and sarcasm the only peer Sanders had met with up to that time. The late A. K. McClure was spending the money of a Philadelphia mining company as manager, and accompanied Sanders and William H. Claggett, a brilliant orator, and the campaign was lively on the hustings and between the papers."

The fourth session (regular) and the extraordinary session of the fourth legislative assembly, convened and finished their labors during the winter of 1867. No laws enacted by this legislative body were of particular political significance. A review of its labors will be found in the chapter dealing with the legislative history of the territory. Owing to the annulment by congress of the work of the second and third extraordinary sessions, the fourth session continued its labors until December 24th to re-enact a large number of bills which had been declared invalid.

At the next election of a delegate in congress, held August 2, 1869, James M. Cavanaugh, having been re-nominated by the Democratic party, defeated James Tufts, the Republican nominee. Mr. Tufts had served as secretary of the territory from March 28, 1867, to April 19, 1869, and, during the ab-

sence of Governor Green Clay Smith from Montana had also held the position of acting governor. The available records of this political contest give Cavanaugh a vote varying from 5,474 to 5,805 votes and his opponent from 3,745 to 3,990 votes. At the election of members of the fifth legislative assembly that had been in session from December 7, 1868, to January 15, 1869, the Democrats had overwhelmed the Republicans who succeeded in electing to the house of representatives General Lester S. Willson from Gallatin and Big Horn counties. General Willson had served with distinction in the War of the Rebellion in a northern regiment and his personal popularity had carried him through the contest which proved disastrous generally to the Republican party. Mr. Cavanaugh having served two terms in congress sought re-nomination in 1871, but was defeated and E. W. Toole was chosen by the Democrats. The failure of Mr. Cavanaugh to secure a place on the ticket was attributed to his attitude while a member of congress whereby he had offended many of the leading interests of the territory, especially in the matter of the government of the Indians and the expenditure of their appropriations which, it was claimed, certain syndicates had come to look upon as assets of their own. Toole had never taken an active part in the politics of the territory. He was a lawyer of eminence and a gentleman of high standing. Members of the Democratic party, then prominent in its political welfare asserted that Mr. Toole was defeated by Mr. Cavanaugh and his friends who bolted and failed to support the party nominee. The Republicans had nominated William H. Claggett who was elected over Mr. Toole and, for the first time in its history, the territory returned to congress a Republican. Of this result it has been said that to have a Republican in congress at that period "was an anomaly in Montana politics." The returns of this election, which was held September 5, 1871, for the first time on record agree as to the respective votes cast for the contending delegates. Claggett received 5,274 and Toole, 4,861 votes. As usual,

Mr. Claggett's abilities were either of a high or mediocre standard, according to the viewpoint of those who criticised him. A prominent Democrat of that period says: "Mr. Claggett was a very eloquent and captivating orator. He came from Nevada and took a leading part in the Sanders campaign. He differed with Sanders and was opposed to Chinese immigration, and on that issue carried the Republican convention. He was a very brilliant but unstable man. He won great applause in congress by a most eloquent and forceful speech against the Mormons, but neglected many of the requirements of his own territory. Still he secured large appropriations for the 'Indians.'"

In Bancroft's "History of Montana," we find the following estimate of him as a member of congress:

"He won great applause, even from the opposite party, for his energy and ability in the delegateship. I give herewith a summary of his services. Within a week after arriving in Washington he secured a bill to open the Bitter Root valley to settlement, by having the Indians removed to the reservation on the Jocko river and securing the immediate survey of the lands. He also procured the exchange of the Yellowstone valley with the Crows, who removed to the Judith Basin. He arranged with General Sheridan, and influenced congress, since not enough soldiers could be sent to Montana to protect the frontier, to keep the Sioux temporarily quiet by feeding and clothing them to the amount of \$750,000; getting an order from General Sherman that the troops on the line of the N. P. R. R. should patrol the frontier, and securing the passage of a bill providing 1,000 breech-loading needle-guns and 200,000 pounds of ammunition for the settlers in remote situations. He found the only law giving idemnity to losers by the predatory acts of the Indians had been repealed, and he had it restored. He secured six new post routes and twenty post-offices. He drew up and had passed the national-park bill, setting apart 50 miles square to the use of the nation forever. N. P. Langford was made

superintendent, and put to laying out roads. He secured three national banks, one at Helena, capital \$100,000; one at Deer Lodge, capital \$50,000, and one at Bozeman, capital \$50,000. He secured an assay office for Helena with an appropriation of \$50,000, and another appropriation of \$5,000 to pay for the printing of the laws of the 7th session of the Montana legislature; half that amount to pay a deficiency in settling with the printer of the laws of the 5th session; and an additional appropriation for the survey of the public lands. He procured an amendment giving the governor power to appoint in recess. He assisted in amending the quartz law of the territory, giving those who performed a certain amount of labor upon their claims a patent to the same. He procured an amendment to the organic act empowering the legislature to incorporate railroads. He secured the privilege of having all territorial offices filled by persons domiciled in the territory, excepting United States judges, Indian agents, and superintendents. He had the courage to refuse to do something which he was requested to perform, but never lost a single advantage to Montana through neglect or incapacity. Claggett was formerly of Nevada."

In the campaign of 1871, Mr. Toole had been supported by Martin Maginnis, and at the next election held August 5, 1872, Mr. Maginnis was chosen by the Democratic party to contest Mr. Claggett's re-election, he having again been nominated by the Republican party. The preceding election had been held less than a year before. The change in the date of election, which ordinarily would have taken place in 1873, was made primarily so that the election in Montana would conform with congressional elections in the states and with the presidential election which took place in that year. Mr. Maginnis received 4,515 votes to 4,196 cast by Mr. Claggett, and this Democratic delegate served thereafter continuously in congress until the election in November, 1884, when J. K. Toole<sup>2</sup> was chosen by the

<sup>2</sup> Joseph Kemp Toole was born in Savannah, Andrew county, Missouri, on May 12, 1851. Re-



Democratic party as its standard bearer for congressional honors at the hands of the electors of the territory. Bancroft says that "Maginnis was a worthy successor to Claggett and secured many benefits to the territory."

In the congressional election of August 8, 1874, the Democratic party renominated Maginnis. He defeated Cornelius Hedges, the Republican nominee. Once more the returns vary, running from 4,144 to 4,584 votes for the Democratic candidate, and from 3,313 to 3,925 votes for Hedges. Again in the election held on the 4th day of November, 1876, E. D. Leavitt<sup>3</sup> the Republican nominee for delegate in Congress was defeated by Maginnis by a majority of 847 votes. Returns now available give 3,827 votes for the successful Democratic congressman to 2,980 cast for the Republican. In the next congressional election held in November, 1878, Sample Orr, running as an independent, was defeated by Ma-

ceiving a common school education he entered the Western Military Institute at Newcastle, Kentucky, where he graduated and then began the study of law in the office of Webb and Barber, distinguished members of the Kentucky bar. In 1869 he arrived in Helena, where he continued his studies in the office of his brother, E. Warren Toole, being admitted to practice in the territory in 1870. The firm of Toole & Toole was then established and became one of the most prominent in Montana. In 1884 it was dissolved. In 1872 he was elected district attorney for the third judicial district and was re-elected to this position in 1874. In 1881 he was chosen to represent Lewis and Clark county in the twelfth legislative assembly and was elected president of the council. In the first constitutional convention of 1884 he was an active and influential member. He represented Montana in the Forty-ninth and Fiftieth Congresses, declining the nomination for a third term. In 1889 he was again a member of the constitutional convention which drafted the present state constitution, and he became the state's first governor, being the only Democrat elected on the ticket of that year. In 1900 he was again chosen governor, being re-elected to succeed himself as the chief executive of the state. He was a member of congress when Montana was admitted to the Union and accomplished much to secure the passage of the bill under which the territory became a state. He served as a member of the State Arid Land Grant Commission, for a time being its president. He was vice-president from Montana of the

Maginnis, the Democratic standard bearer. The vote, as was usual in those times, is a matter of uncertainty. Orr appears to have received from 2,757 to 2,836 votes, while Maginnis is credited with a vote running from 6,445 to 6,485. Major Maginnis had been successful in procuring the enactment of legislation providing for the construction of army posts in Montana and other laws of benefit to the territory. In this election the Republican convention endorsed his nomination, but in so doing aroused opposition to his candidacy. Mr. Orr received the support of Republicans who declined to be bound by the action of the convention and of Democrats who were in favor of nominating some other candidate, believing that Maginnis had served his party long enough. Maginnis, however, was victorious. In 1880 the Republicans once more nominated

commission appointed to the Pan-American Congress that was held in Buffalo, New York, in 1901. In later years he had not actively engaged in the practice of his profession, retaining his residence in Helena, but residing much of the time in California. For many years he was one of the leaders of the Montana bar and an influential member of the Democratic party, which frequently showed its appreciation of his ability and labors in its behalf by electing him to the many positions of honor enumerated in this sketch.

<sup>3</sup> Erasmus D. Leavitt was a native of New Hampshire. He had the advantages of a liberal education and, while a student in the medical department of Harvard University, he abandoned his studies and left for Pike's Peak in 1859. He reached Bannack in the fall of 1862, where he began mining operations, at the same time practicing his profession as a physician, in which he was successful. In 1869 he returned to Harvard and completed his medical course, which he had forsaken ten years before. Returning to Montana he once more became prominent in his profession and, until his death, enjoyed an extensive and lucrative practice. Prior to the war he was a Democrat, but before its end he found himself in accord with the Republican party, and throughout his career in Montana he was active in its support, and his popularity was such that he was nominated as candidate for delegate in congress in 1876. In 1884 he removed to Butte. He was elected president of the State Medical Association at the time of its organization and was also chosen president of the State Board of Medical Examiners. He died in Butte on the 30th day of November, 1909.

W. F. Sanders as their candidate for congressional honors, but he was defeated by Maginnis, who received 7,779 votes to 6,381 for the Republican candidate. Alexander C. Botkin,<sup>4</sup> nominated by the Republicans, was defeated by Maginnis in the election of November 7, 1882. The increasing population of the territory was evidenced by the vote of that year. Maginnis received 12,398 votes and 10,914 votes were cast for Botkin, making a total of 23,312 votes or almost twice the vote of the preceding election of 1880.

This was the last term served by Major Maginnis as Montana's representative in congress. His labors as delegate covered so long a period that they are worthy of review. Much federal legislation vitally affecting the future of this commonwealth was passed while he represented Montana in the national house of representatives and some of the important laws enacted were introduced by him. He was opposed to subsidizing railroads by grants of

vast areas of the public domain, but he was heartily in favor of general legislation in aid of railroad construction. He believed that Montana was the natural highway through the mountains to the northwestern coast; that every railroad begun in the Mississippi valley would have to find its way across it, and it was his conception that finally led congress to pass a bill drafted by him granting all railroads a general right of way over the public lands of the United States without special charter, land grant or other subsidy, except a perpetual easement. The committee of territorial delegates gave the bill their united support. Major Maginnis was the chairman of this association of delegates organized for the purpose of procuring legislation beneficial to the territories. They were able men who afterwards, as their territories came into the union as states, became nationally prominent. Among them were Chaffee, Elkins, McCormick, Cannon, McFadden and Armstrong. The bill was opposed by the chartered roads on the ground that it destroyed their privileges, but the delegates fought it through both houses and it was signed on the 5th of March, 1873. Under this law all the railroads of the new west have been built, except those previously chartered by congress. In our own state, the Great Northern, the Milwaukee and all their branches, as well as all the branch roads of the Northern Pacific, outside of the main line, have been constructed pursuant to the provisions of this act. Major Maginnis had a large part in the building of railroads. He drafted the charter and right of way of the Oregon Short Line, which took over and now operates the old Utah Northern. It was under the provisions of this act that Harriman consolidated the Southern Pacific system, a consummation never anticipated by the author of the bill, who was opposed to such consolidations. An effort was made in congress to repeal the charter of the Northern Pacific and the speeches and letters of Major Maginnis had much influence in overcoming the hostile clamor over Jay Cooke's failure. General Hazen, then commanding

<sup>4</sup> Alexander C. Botkin was born in Madison, Wisconsin, October 13, 1842. His early training was received in the public schools of his native place. In 1859 he graduated from the State University at Madison, and in 1866 he received a degree from the law department of the University of Albany, New York. From 1868 to 1878 he was engaged in journalism on the *Chicago Times* and the *Milwaukee Sentinel*. In the latter year he was appointed United States marshal for Montana by President Hayes, and at once came to the territory. In 1882 he was the nominee of the Republican party for delegate in congress, but was defeated by Martin Maginnis. He unsuccessfully contested Mr. Maginnis' seat. Retiring in 1885 from his federal office he began the practice of his profession. From 1887 to 1890 he was the city attorney of Helena. In 1892 he was elected lieutenant-governor of Montana for a term of four years and was then nominated for governor, but failed to secure the election. In 1897 he was appointed by President McKinley as a member of the commission for the revision of the criminal and penal laws of the United States, and the following year was chosen chairman of the commission. Under acts of congress the commission prepared a system of codes for Alaska, and revised the laws relating to the organization, jurisdiction and practice of the federal courts. His work on this commission took him to Washington, D. C., where he died in 1905.

this district, had made a drastic report to the War Department, condemning the country and the entire project as an imposition and a fraud on the public, which had a great effect at that time and which was successfully answered by Major Maginnis in public addresses and in the press. He championed the entrance of the Great Northern and carried through congress a bill for its right of way through the Indian reservations. He opposed the claims of the Northern Pacific to mineral lands within its land grant and congress sustained his position, as did also the supreme court in an action which he had brought before it on behalf of the prospectors and miners of Montana. He procured increased army protection to the people of the territory against the Indians, being instrumental in bringing about the construction and maintenance of Forts Keogh, Custer, Assiniboine, Logan, Missoula, Maginnis and William Henry Harrison. Among other measures passed by congress through the efforts of Major Maginnis and beneficial to the territory were appropriation bills to construct and maintain the penitentiary at Deer Lodge, and to pay the Indian war claims, long pending, including the pay of the volunteers who served under General Thomas Francis Meagher on our eastern frontier, and to improve the navigation of the Missouri river. He brought about the passage of a bill declaring all that portion of Montana south of the Marias river as open to settlement and occupation, thereby taking this vast section out of the control of federal officials who declared that under certain Indian treaties, this portion of Montana was "Indian country." Major Maginnis was a member of the constitutional convention of 1889, and later was one of the Democrats who contested the seats in the United States senate that were awarded to W. F. Sanders and T. C. Power. He was appointed by Governor Smith to fill the vacant seat in the United States senate caused by the resignation of Senator W. A. Clark but he was not seated. He acted as mineral land commissioner and drew up and helped secure the passage of the act that was passed by con-

gress to save the mineral lands and which has been dealt with in another part of this work.

The Democratic party nominated Joseph K. Toole to succeed Maginnis in congress and in the election of November, 1884, he defeated Hiram Knowles, the Republican candidate, by 199 votes, receiving 13,584 votes to 13,385 cast for Knowles. Toole, likewise, was successful in the following election of November 2nd, 1886, defeating W. F. Sanders, the nominee of the Republican party, who received 14,272 votes to 17,990 cast for Mr. Toole. The last territorial election of a delegate in congress was held in November, 1888. Thomas H. Carter, the Republican nominee, was elected over William A. Clark, receiving 22,486 votes to 17,360 cast for his opponent. At this election, the Prohibition party presented Davis Willson as its candidate and he received 148 votes. The state constitution was ratified at the election held October 1, 1889, and the first state officers were chosen. Thomas H. Carter, the Republican nominee for representative to congress, was elected receiving 19,926 votes and defeating Martin Maginnis, Democrat, for whom 18,278 votes were cast.

In this election the important issue, overshadowing all other political considerations, was the selection of Montana's first representatives in the United States senate. On October 31st the board of canvassers met to canvass the returns from the various counties, and it was then officially announced that no official returns of the vote of Silver Bow county had been furnished in accordance with law. A messenger was sent to its county seat, the city of Butte, to obtain a certified abstract of the votes cast in that county. It developed that the county canvassing board had met pursuant to law, on October 14th, for the purpose of canvassing the vote of Silver Bow county, and that in making such canvass the board had rejected the vote of precinct 34, wherein Homestake was included, as fraudulent. Thereupon the state board, having done all that was required of it under the law, proceeded to canvass the vote of Silver Bow county, without reference to the precinct named, and there-



after announced the result of the election. The rejection of this precinct gave the Republican legislative ticket of Silver Bow county a majority, and thus made the legislative assembly Republican in complexion. The county vote, including the purported result of the votes cast in this precinct, would have given the Democratic party control of the legislature. Thus it was at once made apparent that upon the recognition or rejection of the vote of precinct 34, the result of the election of Republican or Democratic senators depended.

In a contest between John E. Lloyd, the Republican candidate for sheriff of Silver Bow county, and Eugene D. Sullivan, the Democratic candidate for the same office, the facts relative to the vote cast in precinct 34 were presented at the hearing had therein before the district court of Silver Bow county. The lower court found in favor of Sullivan and Lloyd appealed to the supreme court. Upon the evidence contained in the record, the supreme court reversed the decision of the district court and directed that the judgment be entered that Lloyd be declared the duly elected sheriff of the said county for the term beginning with the date of the admission of the State of Montana into the Union and ending on the first Monday of January, 1893. Even to this day the prejudices of those times survive and political partisans differ as to the righteousness of the final decision of the appellate court upon the question of fraud claimed by Republicans to have been perpetrated in precinct 34 and as stoutly refuted by Democrats. No satisfactory conclusion can be reached by an appeal to those who still contend among themselves that justice was or was not done in the final disposition of this controversy through an appeal to the courts, the only lawfully constituted tribunal vested with jurisdiction to decide. It is true that the final arbiter of the facts and the law was a supreme court composed of Republicans, but it is to be presumed that this court performed its sworn duty courageously and honestly to determine the issue, and its decision must form

the basis of all endeavors impartially to write a history of this political feud. Much of the opinion involves a discussion of the law applicable to a controversy of the character involved. The facts, however, as found by it were as follows: The election in precinct 34 was conducted by three judges instead of five, as required by law. The clerks selected to serve performed no clerical duties, but signed the returns the second or third day after the election. The canvass of the votes was conducted privately and not in public as required by law, several persons being ejected, and others who sought admittance found the doors locked. The certificate of the returns was irregular, being certified by the judges and attested by the clerks, instead of being certified by the clerks and attested by the judges. The poll book showed that every elector voted for a candidate for every office, and for or against the proposed constitution, while by the evidence at the trial it was conclusively shown that all the electors did not vote for or against the constitution, that one elector did not vote at all, though his name was on the poll book as having voted, that some electors did not vote for certain candidates and some votes were returned for candidates other than those for whom they were cast and that the ballots were stamped by the judges after the polls were closed. The most significant fact, however, was that the names of the voters appeared on the poll book in alphabetical order, after the names of the three judges and two clerks had been entered. The law required that the name of every elector should be pronounced in an audible voice by the judges, to whom his ticket was delivered, before the same should be put in the ballot box and that the clerk of the election should enter the name of the voter and his number in the poll book. The voters of the precinct were numbered consecutively from 1 to 174, and the poll book showed that they cast their ballots in the following remarkable order: First appeared the three judges, W. A. Pennycook, No. 1; John Morrison, No. 2; William O'Reagan, No. 3; then the two clerks, Thomas

O'Keefe, No. 4, and A. N. Anderson, No. 5. Thereafter the poll book disclosed seven votes all cast by electors whose names began with the capital letter "A." Next in numerical order, fourteen voters cast their ballots and all of these electors bore names commencing with the capital letter "B." The same astonishing alphabetical order was shown by the poll book from elector Curry to Youngberg. The uncontradicted evidence at the trial showed that the voters did not go to the polls in alphabetical order. Upon this evidence the supreme court held that the entire vote of precinct 34 must be rejected; that the legal votes cast in the precinct were not invalidated by the fraud, but it was incumbent on Sullivan, claiming the benefit of such legal votes, if there were any, to prove them. The record showing no proof upon this point, the entire vote was ignored. The final judgment of the supreme court did not settle the controversy, the Democratic party refusing to submit to the elimination of the vote of this precinct.

Notwithstanding the action of the supreme court establishing the fraudulent character of the entire vote of precinct 34 and thereby giving to the Republicans the majority of this assembly on joint ballot, the Democratic leaders organized to circumvent the Republican party.

At this election, under the apportionment fixing the number of representatives from Silver Bow county, ten qualified electors had been nominated by each party to be elected members of the house. As to the election of five of said representatives no controversy arose, but the legality of the election of the remaining five was in dispute, five Republicans claiming to have been lawfully chosen as representatives and five Democrats likewise making the same contention. The five Republicans held certificates of election issued to them by the state canvassing board which passed on the vote of the various counties with that of precinct 34 excluded, owing to its rejection by the canvassing board of Silver Bow county. The five Democrats based their muniment of title to seats in the house upon certificates issued to

them by the county clerk and recorder of Silver Bow county. On the 22nd of November, 1889, the day preceding the meeting of the legislative assembly, Governor J. K. Toole, the Democratic chief executive, issued the following proclamation:

"Whereas, On the 11th day of November, A. D. 1889, a proclamation was signed and issued convening the first legislative assembly of the state of Montana, at the seat of government, on Saturday, November 23, 1889, at 12 o'clock, noon, and

"Whereas, No provision of the constitution or the laws provides the place in which the said legislative assembly shall meet, and no officer or person is expressly authorized by the constitution or the laws to designate such place of meeting; and

"Whereas, It is necessary that such suitable and convenient place of meeting shall be designated and provided; and

"Whereas, It has come to my knowledge that two sets of certificates have been issued to persons claiming to be elected to said legislative assembly, each emanating from a different source, and not all to the same persons; and

"Whereas, It is probable that a conflict may arise between the respective claimants to seats in said body, and the organization thereof, which may imperil the peace of the state; and

"Whereas, One set of said certificates has been issued and delivered pursuant to section 1033 of the General Election Laws of Montana, by the county clerks of the respective counties, and by virtue of section 18 of an act of the legislative assembly of the territory of Montana, entitled 'An act to provide for the registration of the names of electors, and to prevent fraud at elections,' approved March 8, A. D. 1889; and

"Whereas, By express law, the persons holding such certificates are declared to be entitled to membership and deemed to be elected for all purposes of organization of either branch of the legislative assembly; and

"Whereas, When so organized, such legis-

lative assembly by the constitution becomes the judge of the qualifications of its own members;

"Now, therefore, I, Joseph K. Toole, governor of the state of Montana, do hereby designate the courthouse of the county of Lewis and Clark, at the said seat of government, as the place where said legislative assembly, comprising the persons holding and presenting certificates of election from said county clerks, shall meet, to wit: The house of representatives shall meet in the hall formerly occupied by the territorial house of representatives, and the senate shall meet in the chamber formerly occupied by the territorial council.

"For the observance of this proclamation I invoke the aid of all good citizens, without distinction of party."

It was clear from this official document that the Democrats intended to recognize the credentials only of those members of the house who could present certificates of election from the county clerk and recorder of Silver Bow county, under the law the Republicans claimed had been repealed by an ordinance passed by the state constitutional convention, and that, having effected organization with the five Democrats possessing the certificates described, recognized as legally entitled to seats, to force the five Republican representatives bearing certificates from the state canvassing board, to contest for their seats in a body made Democratic by the inclusion of the five Democrats and the exclusion of the five Republicans. As the house was the judge of the qualifications of its own members, the contestants could scarcely hope to succeed. The Democrats met at the place designated in the governor's proclamation at noon on November 23rd. Pursuant to the call of the state auditor, E. A. Kenney, a Republican, the Republican representatives met at Iron hall, a building on Main street in Helena, for the purpose of effecting organization. The Republican senators-elect met at the place designated by the governor, there being no contests in the upper branch of the assembly. In the Democratic house of representatives sat the five Demo-

crats with certificates from the county clerk and recorder, while the five Republicans possessing certificates from the state canvassing board met in Iron Hall and participated in the temporary organization of the Republican house. Thus was born the deadlock which was maintained throughout this session of the assembly, and all efforts to effect compromises so that necessary laws for the welfare of the state could be passed failed. The first overture came from the Republicans pursuant to a resolution offered by Representative R. H. Howie and adopted by the Republican house. Under it, the Democratic members whose election was undisputed were to meet with the Republicans whose right to seats was not in question, as an organized house of representatives; the Democratic members of the senate were to qualify and the senate organize for business; the house of representatives so organized should select a commission of three Democratic and three Republican members, and such commission was to be vested with authority to compel the attendance of witnesses and the production of papers, and should proceed to investigate the election held at precinct 34, making its report within fifteen days after its appointment; by such report, both Republican and Democratic members were to be bound. This offer of compromise was rejected by the Democrats. Later a similar offer was made by the Democrats, but was declined by the Republicans, who contended that, inasmuch as necessary witnesses had disappeared and the voters of precinct 34 had left the scene and could not be found, it would be impossible to investigate the matter or secure necessary facts; that it was the covert scheme of the Democrats to rest their case on the count of the returns from precinct 34 made pursuant to an order of the district court of Silver Bow county, and then hold that the action of the court was conclusive.

While this deadlock was in progress, the question as to which set of representatives from Silver Bow county was legally entitled to seats in the legislative assembly was finally determined by the state supreme court in the



case of State, ex rel., Thompson vs. Kenney, Auditor, 9 Montana Reports, page 223, which held that the state board of canvassers was the lawfully constituted canvassing board to canvass the votes for the election of members of the legislative assembly and to declare the result and that certificates of election issued by a county clerk were without effect. Thus the five Republican representatives from Silver Bow county were declared to be entitled to seats in the assembly. This decision settled the contending claims of the members holding the two classes of certificates, but the Democrats refused to concede the validity of the action of the court of last resort and the deadlock continued to prevail.

The senate comprised sixteen members, one from each county, and without dispute or contest politically, was evenly divided, each party being represented by eight senators, with the presiding officer, Lieutenant Governor J. E. Rickards,<sup>5</sup> a Republican. By reason of his possible control over its deliberations, by casting the deciding vote, in the event of a tie,

<sup>5</sup> John E. Rickards was born in Delaware City, Delaware. After attending the schools of his native town, at the age of nineteen he went to Philadelphia and secured a clerkship in a mercantile establishment there. In 1870 he went to Pueblo, Colorado, residing there until 1878, when he went to San Francisco, California, where he was engaged in the mercantile business until 1882, when he arrived in Butte and engaged in various mercantile pursuits and in the real estate business. Here he was elected an alderman and later was chosen as a member of the council of the territorial legislature. In 1889 he was elected a member of the constitutional convention under which Montana became a state. Upon its admittance to the Union he was elected lieutenant-governor. As president of the state senate and during the political warfare between the Republican and Democratic parties of those times, he acquired fame by ruling that senators present and not voting should not be regarded as absentees whereby the organization of the senate was effected. In this ruling he anticipated the celebrated decision of Speaker Thomas B. Reed in the federal house of representatives. At the end of his term as lieutenant-governor he was elected by the Republican party as governor of Montana. After the close of his political career he returned to California, where he has since resided.

the eight Democratic senators refused to meet with the Republicans or to participate in the organization of that body. The eight Republican senators and Lieutenant Governor Rickards, however, met in obedience to the proclamation of Governor Toole and attempted to effect temporary organization, and thereafter daily, until the nineteenth day of the session, continued to assemble and then adjourn. Finally, to compel attendance on the part of the Democratic senators, the following resolution, introduced by Senator Hedges, was adopted:

"Resolved, By the members of the senate of the legislative assembly of Montana, constituting a moiety, but not a majority as required by our constitution to form a quorum for the transaction of business or to complete its organization, having adjourned from day to day, until this present 19th day of the session has been reached, and it appearing by the late roll call now here made, as at all previous ones, that the following named senators elect, to wit: C. J. McNamara, C. W. Hoffman, W. M. Thornton, J. A. Baker, William Parberry, D. J. Hennessey, E. G. Redd, W. S. Becker, are absent, though at all times within the vicinity and able to be present, and there being no qualified sergeant-at-arms of this body, now, therefore, be it ordered in the manner prescribed and set forth in the following order, that we proceed to compel the attendance of the aforesaid absent members. (See Senate Journal, First Legislative Session.)"

The order above referred to was a voluminous document reciting certain facts bearing on the election of the members of that body and its legality, etc., citing section ten, article five, of the constitution in support of the right of a minority of that body to compel the attendance of absent members, and also referring to section 1,333 of the fifth division of the Compiled Statutes of the State of Montana, which conferred the right upon either house of the legislative assembly to empower any person, when there is no sergeant-at-arms, to compel the attendance of absent members. Acting upon this authority the Republican

senators directed a temporary sergeant-at-arms then selected, to bring within the bar of the senate the absentees mentioned.

Warrants were forthwith served on senators Thornton, Redd, Baker, Hoffman, Becker and Parberry and the sergeant-at-arms was endeavoring to serve the rest of the Democratic members of the upper house, when, on the 24th day of the session, the entire number appeared, and were duly sworn in as members of the senate. On the 21st day of December, a quorum of the senate was present and answered to roll call, but the Democratic members refused to vote when an effort to effect temporary organization was made by the Republicans. A reading of the Senate Journal of those times is interesting, and therefrom the method employed to effect organization will be seen later to have been followed by Speaker Thomas B. Reed, presiding over the federal house of representatives, when, similarly situated with Lieutenant Governor Rickards, he held that a majority of votes cast should determine the action of the house, if the presiding officer found that those voting and those present but not voting constituted a quorum. This parliamentary practice had been upheld and enforced by both Democrats and Republicans alike in congress, notably by Senator Blackburn, of Kentucky and Congressman Springer of Illinois. On the day in question Senator Hedges moved that the senate proceed to the election of a president, *pro tempore*. The motion was carried by a *viva voce* vote. Senator Thornton (Democrat) thereupon demanded the ayes and noes, but the presiding officer ruled that as no rules had been adopted for the government of the senate, there was no rule for calling the ayes and noes. Senator Fisher (Republican) then introduced a resolution that the senate proceed to the election of its officers and that a plurality of votes should elect in every case until permanent rules for the government of the senate should be adopted. The resolution was carried and organization effected. Thereafter the Democratic senators absented themselves from the senate chamber, and it became

apparent with the growing intensity of party feeling that ultimately the floor of the United States senate in Washington would be the battle-ground where the respective contentions of the two parties would be waged and determined. Every move by the antagonistic forces was carefully considered and made with such an inevitable result in view, and each party strove to gain some strategic advantage over the other by carefully laid plans of attack. In this preliminary struggle the leaders of both parties sought and obtained advice from their political adherents in the senate of the United States and the action of the eight Democratic senators who met with the Republicans on the 24th day of the session was severely criticised by the party leaders in Washington.

On December 31st, the thirty-ninth day of the session, the senate proceeded to vote *viva voce* for two United States senators. On the first ballot, Wilbur F. Sanders received the vote of seven Republican senators, Senator Fisher voting for B. Platt Carpenter. On the ballot for the other United States senator no candidate received a majority of the votes cast. On January 1, 1890, the Republican senators proceeded to the Republican house of representatives for the purpose of balloting in joint assembly for two members of the senate of the United States. The roll call was had, showing that a majority of the two houses was present—a total of thirty-eight votes. Upon the first joint ballot Wilbur F. Sanders received all of the votes present and was declared duly elected as the first senator from Montana to represent the state in the senate of the United States.

On the second ballot for senator, Lee Mantle of Butte received eleven votes; T. C. Power of Helena, late candidate for governor on the Republican ticket, received three votes; L. H. Hershfield of Helena, four votes; John E. Rickards of Butte, eleven votes; B. Platt Carpenter of Helena, one vote, and E. D. Leavitt of Butte, eight votes. Without result the Republican senators reconvened with the Republican house in joint session and bal-

loted on the following day for senator. Lee Mantle received three votes and T. C. Power received thirty-five votes. Power was thereupon declared duly elected as the second senator to represent the new commonwealth in the United States senate. It was generally believed that Mr. Mantle would be chosen but the Silver Bow county delegation failed to unite upon him and the selection of Power was the result. The Democratic senators and the Democratic house later met in joint session and elected W. A. Clark of Butte and Martin Maginnis of Helena as United States senators.

With the selection of rival sets of senators disposed of, an effort was made to enact necessary legislation. On January 8, 1890, the sergeant-at-arms was ordered to bring the absentee Democratic senators before the bar of the senate. They either refused to come or could not be found. On January 15th the eight Democratic senators appeared and a parliamentary struggle took place between the contending factions, each striving to gain control of the body. On January 28th an effort was made to pass a bill but without success. On February 6th, Senator Olds (Republican) introduced a resolution for the purpose of enforcing the attendance of the Democratic senators. It provided that any member of the senate who should absent himself after that date, unless properly excused, should be fined the sum of \$50 for the first day's absence; \$100 for the second day and so on, until for absence on the sixth day, a fine of \$1,000 was to be assessed and a like sum for each day's absence thereafter. This was adopted as well as another resolution authorizing the president of the senate to issue duplicate warrants for the arrest of any one or all of the absent members, to the sheriff or other peace officers of each county. The Democrats continuing to remain away, the fines were levied and entered upon the senate records. When it was learned that it was the purpose of the Republicans to enforce the attendance of the Democrats through the agency of warrants of arrest, some of the absentees left the state. Senator Becker was captured at Glendive by

the sheriff of Dawson county. On the way to Helena, and at Miles City, the senator was taken from the custody of the officer on a writ of habeas corpus and released. The officer re-arrested him and again started for the capital. Special Sergeant-at-arms Parker was arrested at Bozeman en route to the seat of government with the senator in his custody, charged with kidnapping. These proceedings resulted in the acquittal of Parker and he with the senator were at once placed on a special train which finally reached Helena and the officer presented Becker before the bar of the senate chamber on the morning of February 8th. The spectacular incident was closed by the senate promptly purging him of contempt and remitting the fines recorded against him. With Senator Becker's presence a quorum was secured and an effort made to enact appropriation bills, but they were not enrolled in accordance with law and the session accomplished nothing in the way of legislation. On the night of February 8th the senate adjourned until the following Monday. When it reconvened on February 10th, it was found that Senator Becker had fled to Idaho and without further important incident the session adjourned February 20th.

The political struggle was now transferred to the national capital, where the senatorial contest between Sanders and Power, elected by the Republicans, and Clark and Maginnis, elected by the Democrats, was to be determined. The matter was regularly referred to the committee on privileges and elections of the fifty-first congress, which finally, on March 24th, 1890, submitted its report recommending that Wilbur F. Sanders and Thomas C. Power be admitted to seats in the senate from the state of Montana. Upon the questions of law involved, the majority report of the committee held that the representatives holding certificates issued by the state canvassing board were lawfully entitled to seats in the house of representatives and that the territorial law providing that county board of commissioners should make abstracts of the results of election and county clerks should issue certificates of election in the case of representatives had



been repealed by the provisions of an ordinance passed by the state constitutional convention. Upon the facts the majority report of the committee on privileges and elections found in favor of the Republican contestants, who were given seats in the senate of the United States to represent Montana in that body. Senator Power drew the long term expiring March 4, 1895, and Senator Sanders drew the term expiring March 4, 1893.

At the general election held November 4, 1890, four parties nominated state tickets. W. W. Dixon was elected by the Democrats as representative in congress, receiving 15,411 votes, defeating the Republican candidate, Thomas H. Carter, who polled 15,128 votes. The Prohibition party nominated A. L. Corbly, who received 369 votes. W. T. Field, run-

ning for congress on the Labor party's ticket, polled 162 votes.

The second session of the legislative assembly on January 5, 1891, found the deadlock prevailing at the former session still in force. The members of the house of representatives representing the two opposing political parties met in two bodies and effected independent organizations. The elections held in November, 1890, had resulted disastrously to the Republican party. Naturally the Democrats attributed the defeat of their opponents to the course pursued by the Republicans relative to precinct 34. The Republican leaders denied the charge, pointing out that the Republican party generally throughout the United States had not met with success. Governor Toole recognized the Democratic house as did also the senate. It happened, however, that legislation could not be enacted by reason of a lack of a quorum in the Democratic house, and for the additional reason that as the supreme court had already decided that the Republican house was the legal one, no laws passed could hope to survive the judicial scrutiny of the highest court of the state, as this tribunal would of necessity hold that any legislation effected would be the act of an illegal body. Hence a deadlock was inevitable. Conditions, however, were conducive to a compromise between the contending factions. The strife incident to a senatorial contest was absent and the imperative demand for the enactment of pressing legislation, particularly appropriation bills, pointed irresistibly to the need of adopting some plan to permit the assembly to pass needed laws. It was suggested by the Republicans that all members of the assembly indisputably elected should meet in joint conference to adopt some method, agreeable to both parties, whereby the pressing obligations of the state might be provided for by the passage of requisite legislation. The five Democrats and five Republicans whose seats had been the subject of dispute were not to participate in the suggested council. This met with opposition on the part of the Democrats. At last the senate appointed Senator O. F.

<sup>6</sup> William W. Dixon was born on June 3, 1838, in Brooklyn, New York. He was admitted to the bar of Iowa in 1858, having received an education in the public schools and a thorough legal training under the guidance of his father, who was an able lawyer. After practicing in Iowa for a short time he removed to Tennessee and thence to Arkansas. In 1862 he crossed the plains to California and shortly thereafter went to Nevada. In 1866 he arrived at Helena, Montana, where he became a partner of W. H. Claggett, who was a prominent citizen of Montana in early days. They practiced law successfully for several years, when Mr. Dixon removed to Deer Lodge. In 1879 he went to the Black Hills, where he practiced his profession until 1881, when he returned to Montana and settled in Butte. Here he remained until his death. He became one of the foremost lawyers of this state and was a recognized authority in mining law, participating in many of the most celebrated mining suits of his time. As a result of his abilities he was retained by several of the large companies operating in Butte and retired after having amassed a comfortable fortune.

He was a representative from Deer Lodge county in the territorial legislative assembly and chairman of the judiciary committee in the house in which he sat. He was an influential member of the two constitutional conventions of 1884 and 1889. In 1890 he was sent to Washington to represent Montana in the lower house of congress. Returning to Butte he resumed the practice of his profession until, retiring, he removed to Los Angeles, California, where he died on the 13th of November, 1910.

His valuable law library was given to the law department of the State University at Missoula.

Goddard (Republican) and Senator W. M. Thornton (Democrat) as a committee of the senate to devise a basis of agreement between the two houses of representatives. It was finally agreed that three of the Republicans and two of the Democrats whose seats had been disputed were to be seated as members of the house of representatives and the Democrats were to be granted the right to name the officers of the lower body. On January 28, 1891, pursuant to the plan adopted, the two houses assembled and the deadlock was at an end. The way was thereby cleared for the enactment of such legislation as was essential to the welfare of the state.

The Republican party was generally successful in the election held on November 8, 1892. In the race for representative in congress, C. S. Hartman, Republican, was victorious over all opponents, receiving 17,934 votes; W. W. Dixon, Democrat, received 17,772 votes. Caldwell Edwards, the nominee of the People's party, mustered a total strength of 7,027 votes, and the standard bearer of the Prohibition ticket received 601 votes.

W. Y. Pemberton (Democrat), however, defeated Henry N. Blake<sup>7</sup> (Republican), for chief justice of the supreme court, as a result of a political combination between the Demo-

cratic and Populist parties. Lieutenant Governor John E. Rickards, who presided over the Republican house in the first state assembly, was elected governor.

The third legislative assembly comprised twenty-six Democrats, twenty-six Republicans and three Populists. The Senate was made up of nine Democrats and seven Republicans. On joint ballot, with the aid of the Populists, the Democrats might have controlled the situation and elected a successor to Senator Sanders, had not the old political feud between Marcus Daly and W. A. Clark broken out and prevented the Democrats from electing a senator. The Republican caucus named Sanders as the candidate of the party to succeed himself. W. A. Clark was the choice of the Democrats, and the Populists named Samuel Mulville. The balance of power held by the Democratic party was so slight that its caucus nominee could scarcely hope to be elected without the unanimous support of all Democratic senators and representatives, but with the selection of W. A. Clark the influence of Marcus Daly at once was manifest in the antagonism of some of the Democrats, who refused to enter the Democratic senatorial caucus or to abide by its deliberations. Mr. Daly never aspired to political office in his life, while his

<sup>7</sup> Henry N. Blake was born in Boston on June 5, 1838. He was graduated from the Dorchester (Mass.) High School and from the law department of Harvard University, receiving the degree of LL. B. in 1858. The following year he began the practice of his profession in Boston. In April, 1861, he enlisted in Company K, Eleventh Massachusetts Infantry, as a private, being promoted to a captaincy before he was mustered out of the military service in 1864. He participated in many of the most important battles of the war, attached to the Army of the Potomac. In 1866 he came to Montana and located in Virginia City, where he began the practice of law. On April 22, 1869, he was appointed by President Grant United States attorney for Montana territory. In March, 1871, he resigned his office to accept the position of district attorney for the first judicial district, comprising the counties of Madison, Beaverhead and Gallatin. In the following election in November he was elected to succeed himself and served two years. On January 9, 1872, he was ap-

pointed reporter of the supreme court of the territory, preparing the first volume of Montana Reports and assisting in the preparation of the second and third volumes. In 1874 he was elected to the territorial legislature, resigning his seat in 1875 to accept a position on the supreme court, where he served until 1880. He was elected to the legislative assemblies of 1880, 1882 and 1886 as a Republican. In 1884 he was elected district attorney for the first judicial district. On March 23, 1889, he was appointed chief justice of the territory, serving as such until November 8, 1889. Upon the admittance of Montana as a state, Judge Blake was elected chief justice and served until 1893. In the November election of 1892 he was the candidate of the Republican party for the same position, but was defeated by W. Y. Pemberton. In 1897 he was appointed master in chancery in the United States court, which position he occupied for many years, when he resigned and later returned to Massachusetts, where he now resides.

adversary desired to become a United States senator. Conditions enabled the Daly faction to defeat the Clark adherents. The ten Democratic members of the assembly absolutely refused to vote for Mr. Clark, although it lay within their power to elect him to the United States senate. In the struggle the Populists dropped their caucus nominee, and two of them joined the Daly forces, the third (Beecher) giving his support to the opposition. The choice of Mr. Daly was W. W. Dixon and for him twelve votes in joint session were unwaveringly cast. This situation blocked the election of W. A. Clark. On the other hand, the Republicans were too weak numerically to elect their caucus choice. Thus the entire session passed without result, although the Republicans, believing that Senator Sanders could not be elected, chose Lee Mantle in his place. This however, did not aid them; indeed, the Republican vote did not so consistently support Mr. Mantle as it had Sanders. On the last day of the assembly, the final vote in joint session for a senator was held amid great excitement. Six Republicans voted for Mr. Clark, but still he failed to poll enough votes to assure his election. He needed three additional votes. As soon as the result was announced, and before a second ballot was taken, Senator Matts, a Daly supporter, moved that the joint session adjourn *sine die*. The Republicans, now hopelessly in the minority and with their members voting for a Democrat, hastened to throw their support to the Daly faction, and the motion to adjourn prevailed. No successor to Senator Sanders had been elected. Governor Rickards thereupon appointed Lee Mantle as senator to fill the vacancy, but the senate of the United States denied him a seat in the senate. It was claimed by his adherents that in refusing to recognize his credentials from the governor, the senate overturned all precedents. It was also contended that the action of the senate would, of necessity, force Governor Rickards to reconvene the Montana legislature for the purpose of filling the existing vacancy, and that, were another opportunity thus presented, a

Democrat would be selected. This belief was strengthened by a concerted movement among the Democrats to prevail upon the governor to convene the legislature in extraordinary session for this purpose. Governor Rickards, however, refused to entertain the suggestion and thereby it devolved upon the fourth assembly, which convened in January, 1895, to elect two United States senators to fill the one already mentioned and the other, caused by the expiration of the term of Senator Power.

In the general election held November 6, 1894, the Republican nominee for representative in congress, C. S. Hartman, received 23,140 votes and was elected. Hal S. Corbett, nominated by the Democratic party, polled 10,369 votes. The Populist party placed Robert B. Smith in nomination and he received 15,240 votes. The Prohibition party once more entered the race, nominating B. F. Maiden, who received 519 votes.

In this election at which the membership of the legislative assembly convening in January, 1895, was determined, a controversy of long standing was finally decided. It was the culmination of the political struggle between Helena and Anaconda to win the honor of becoming the permanent capital of the state. From 1864 the seat of government had been temporarily located in different towns, but not until 1894 was the contest finally terminated. The migrations of the capital and the story of the last battle between Helena and Anaconda, commonly called the Capital Fight, although taking us back to early territorial days, may well be told here.

When Montana became a territory, Bannack was one of its mining centers. Sidney Edgerton, the first governor, had the absolute power to fix the location of the capital. He gave it to Bannack. This was in May, 1864, and after the creation of the territory. Meantime Virginia City had been growing, and soon aspired to secure the seat of government. On February 7, 1865, the territorial legislature passed an act changing the capital to Virginia City. Helena was also becoming an important town on account of rich discoveries of gold in Last



Chance Gulch. In December, 1866, the legislature passed an act providing for the permanent location of the seat of government. Under this act the question was to be submitted to the vote of the electors on the first Monday in September, 1867. The result was to decide the rivalry between Helena and Virginia City, and the latter place received a majority of the votes cast and retained the capital. Another vote was taken in January, 1869, and Virginia City again prevailed.

Five years later the contest for possession of the capital was renewed. Helena again was a candidate. The apparent majority in favor of Virginia City was 152. In the returns from Meagher county, however, the result was given as 561 for the last named city, and 29 votes for Helena. It was claimed that the figures had been reversed and that the change from Virginia City to Helena should have been approved by a majority of the votes cast.

Helena immediately instituted legal proceedings to have the controversy determined in its favor. The supreme court issued a writ of mandamus directed to the proper territorial

officers, Chief Justice D. S. Wade<sup>8</sup> and Associate Justice Hiram Knowles concurring in the opinion handed down by the court that mandamus proceedings were proper, and Associate Justice Francis G. Servis dissenting. An appeal was taken to the supreme court of the United States. After more than a year the appeal was dismissed on the ground that that court had no jurisdiction. The entire Montana territorial supreme court, meantime, declared in favor of a re-canvass. This was made and showed that the returns from Meagher county had been reversed, and that Helena had received a majority. Governor Benjamin F. Potts thereupon issued a proclamation declaring Helena the capital and to this city it was removed.

When the constitution of the state was finally ratified it contained the following provision:

"At the general election in the year 1892, the question of permanent location of the seat of government is hereby provided to be submitted to the qualified electors of the state, and the majority of the votes upon said question

<sup>8</sup>Decius S. Wade was born at Andover, Ashtabula county, Ohio, January 23, 1835. He spent his youth upon the farm of his father, taking advantage of such opportunities as presented themselves to acquire an education. From the age of sixteen to twenty-two he taught school during the winter seasons, attending Kingsville Academy in Ashtabula county during the summers. While thus employed he also studied law under the direction of his uncles, Senator Benjamin F. Wade and Edward Wade, who was a member of Congress from the Cleveland district for eight years. In 1857 he was admitted to the bar at Jefferson, the seat of Ashtabula county, and he at once began the practice of his profession. In 1861, with the first call for volunteers issued by President Lincoln, young Wade responded. He became first lieutenant of his company, and afterwards, upon the call of Governor Tod for volunteers to defend Cincinnati, which was threatened by the Confederate leader, Kirby Smith, Wade immediately tendered his services. He served for seven years as probate judge of Ashtabula county. In 1869 he was elected to the Ohio state senate from the district composed of Ashtabula, Lake and Geauga counties. He served two sessions and, while a state senator, Presi-

dent Grant, on March 17, 1871, appointed him chief justice of Montana. He served until May, 1887. As a result of his prolonged judicial services, almost coincident with the establishment of courts in the territory, his name must ever be associated with the jurisprudence of Montana. As a result of his indefatigable labors, his opinions fill more than one-half of the first six volumes of the Montana supreme court reports, and on appeal to the supreme court of the United States, very few of his decisions were reversed. He was one of the commissioners appointed to draft and submit the Codes of Montana to the legislative assembly in 1892, and if he had performed no other services than those in procuring their adoption, his industry and ability displayed in bringing them forth would perpetuate his fame. Aside from his judicial activities, he found time to occupy his pen in various literary directions, and he wrote and published a very interesting novel which was widely read. It was entitled "Clara Lincoln," and, although written during the few leisure moments that interrupted his official career, it is a work displaying unusual literary merit. He has been termed the "trail blazer" of Montana jurisprudence. Judge Wade died in Washington, D. C., August 3, 1905.

shall determine the location thereof. In case there shall be no choice of location at said election, the question of choice between the two places for which the highest number of votes shall have been cast shall be and is hereby submitted in like manner to the qualified electors at the next general election thereafter."

Seven cities in Montana entered the contest at the first election of 1892. They were Helena, the temporary capital, Anaconda, Butte, Bozeman, Great Falls, Deer Lodge, and Boulder. It was generally conceded that Helena and Anaconda were the principal contestants, although nobody looked for any candidate to get a clear majority at the preliminary election. Such proved to be the case. The official records show that the vote of the state was as follows: Helena, 14,010; Anaconda, 10,183; Butte, 7,752; Bozeman, 7,685; Great Falls, 5,012; Deer Lodge, 983; and Boulder, 295.

Two years later, in 1894, came the final struggle between Helena and Anaconda. All other political questions in the campaign of that year were of minor importance. It was a campaign in which every voter became a partisan; every newspaper in the state, daily and weekly, vehemently supported one or the other of the rival candidates. A host of speakers canvassed the state seeking through their eloquence to make converts for their favorite cities.

This bitterly-fought struggle was perhaps as much a matter of personality as geography. The opposing parties were represented by two dominant figures, Marcus Daly,<sup>9</sup> the cham-

pion of Anaconda, and William A. Clark, the supporter of Helena. Marcus Daly was the head of the company that bears the same name as the city he founded, and where he had located his smelters. He was accredited with being one of the best organizers and managers the country has ever known, and the result showed the estimate of him was right. Helena won, but by a narrow margin. The vote stood, Helena, 27,024; Anaconda, 25,118. Helena's majority was 1,906. So close was the vote that it was many days after the election before the actual result was known.

Anaconda had depended upon getting about 70 per cent of the vote of Silver Bow county. It received about 62 per cent. The actual figures for Silver Bow county were: Anaconda, 6,513; Helena, 4,003; but had it secured 70 per cent it would not have changed the result.

W. A. Clark of Butte took an active part in the fight when it was well under way, and he is credited with cutting down the vote for Anaconda in Silver Bow county and swelling that of Helena. He had been a candidate for United States senator at the session of the legislature of 1893, and Marcus Daly had prevented his election. He gave his money and influence in support of Helena and this city was lavish in its praise of his efforts to save it from defeat.

It was one of the bitterest political fights of its kind that Montana has ever witnessed. It left many scars which only time can heal.

The seat of government having been permanently established at Helena, a magnificent

<sup>9</sup> Marcus Daly was born in County Cavan, Ireland, on December 5, 1841. His environment growing distasteful, at the age of fifteen he left his native land and came to America. Landing in New York City his first employment was in a leather factory in Brooklyn. Saving his earnings he soon started for the Pacific coast, landing in California. He earned his living in various employments, drifting towards steady work in placer mining camps, and finally becoming a quartz miner in Nevada. It was during this formative period of his life that he became acquainted with the late Senator Hearst of California, and their relations lasted for many years,

to the advantage of both. In 1876 Mr. Daly arrived in Butte as the representative of Walker Brothers of Salt Lake City, and purchased for them the Alice mine, retaining for himself an interest in the property. Later he disposed of his holdings and with the proceeds at once organized a company which bought the Anaconda mine—then a silver producer, but destined to become a great copper property. He succeeded, in this enterprise, in enlisting the aid of Senator Hearst, who in turn secured the assistance of Haggin & Tevis, members of a law firm in San Francisco, but who were also engaged in mining operations with Hearst. The St. Lawrence was soon

capitol building was soon constructed. With its completion the long continued struggle that had been intermittently waged for thirty years over the location of the seat of government was at an end.

Politically the legislature of 1895 was overwhelmingly Republican. There were more Populists in it than Democrats, and more Republicans than there were Democrats and Populists combined. In the first caucus Lee Mantle of Butte, who had been appointed by Governor Rickards but who had been refused a seat in the senate, was an easy winner over the very man who had formerly named him for the position. He received two-thirds of the Republican votes and was chosen as senator to fill the existing vacancy, with four years to serve. For the full term to succeed Senator Power, Thomas H. Carter was the most positive contender. Yet it required three caucuses and twenty ballots to elect him. He finally won, being chosen to fill the six-year term.

Aside from the election of these two senators, this legislative assembly made a record for itself in other ways. It was known as the "Code" legislature, passing the codification of the laws of Montana that had been in course of preparation for several years. It

also went on record as the first assembly to interfere with licensed gambling, enacting a law making gambling unlawful. The supreme court, however, declared this law defective, but the matter was remedied later and a law placed on the statute books that effectively put an end to gambling when authorities were found who showed a disposition to enforce it. This assembly defeated the first bill introduced to give the right of suffrage to women.

At the election held November 3, 1896, O. F. Goddard ran for representative in congress on the regular Republican ticket. The great issue of that campaign was the free and unlimited coinage of silver at the ratio of 16 to 1, which had the support of the Democratic party nationally and generally throughout the various states and also of the state organizations of the Republican party, particularly in the West. With Montana's rich silver mines abandoned because of the drop in the price of silver, it was an issue that appealed strongly to the people of the state, and to support politically the platform of the regular Republican party in favor of a gold standard, meant overwhelming defeat. Goddard received only 9,492 votes. Charles S. Hartman was the

acquired and other valuable properties added to the holdings of the company which, known as the Anaconda Copper Mining Company, became famous as one of the greatest copper producing concerns in the world. At that time there were no smelting plants in the west, indeed, the ores produced by the Anaconda company were, at first, shipped to Swansea, Wales, for treatment. Without adequate water supply at Butte, Mr. Daly noted the great natural advantages for the construction of a smelter at a point about twenty-eight miles west of the city of Butte, and there he at once set at work to build a plant suitable for his purposes, and called the town Anaconda after the name of the company he had conceived and organized. To connect mines and works his company built a railroad known as the Butte, Anaconda & Pacific, to transport the ore to the smelter at a minimum of cost. He may be truthfully called the father of the copper industry of this state. When the camp was known only as a silver producer, it was Mr. Daly who prophesied that it was destined to become one of the greatest copper producing centers of the world, and so sanguine was

he that copper deposits underlay the silver that he spent hundreds of thousands of dollars to prove his theory. He lived to see his early struggles crowned with success and his practical knowledge of mining vindicated by the development of scores of mines in the Butte camp whose copper output has astonished the world.

Aside from the upbuilding of this great industry, he had time for other enterprises, all of which proved successful. In the Bitter Root valley he acquired a vast domain containing thousands of acres of the most fertile land in the state, and here he established one of the greatest stables in the world for the raising of blooded horses, many of which became famous. For twenty years he was one of Montana's most commanding figures, and so long as the mountains of the state shall continue to pour forth their stores of precious metal, his name will be remembered as the pioneer among those who have made Montana renowned as the greatest copper producing state in the Union.

Mr. Daly died in New York City on the twelfth day of November, 1900.



standard bearer of a party calling itself Silver-Republican and he mustered 33,942 votes. One of the staunchest supporters of the gold standard and throughout this campaign vehemently attacking the doctrine of free silver was W. F. Sanders. For his stand he was denounced by many of his own party who abandoned the standard of the Republican party and supported the Silver-Republican ticket. No other parties nominated a candidate for representative in congress in that campaign.

The assembly of 1897 politically was without importance. There was no senator to elect. Owing to the strong sentiment prevailing in Montana in favor of free silver, the house was Democratic and Populist, these parties acting in conjunction when any political measures were involved. A second attempt to enact a suffrage bill for women failed.

The election for representative in congress held November 8, 1898, resulted in the election of A. J. Campbell, Democrat, for whom 23,351 votes were cast. The Republican nominee, Thomas C. Marshall, received 14,829 votes. T. S. Hogan, the nominee of the Populist party, mustered 11,607 votes.

In the year of 1899 a political event of transcendent importance occurred, one which divided the people of Montana into bitter political factions and which by its sensational character startled the entire United States. This was the senatorial contest of William A. Clark. It was a battle of moneyed giants, a fierce, uncompromising struggle in which prejudice and passion held unbridled sway. Unquestionably there was wrong on both sides, but at this time with many of the actors in the struggle still alive, who love or hate tremendously according to their beliefs, it is impossible to sit in judgment and to pronounce a final decree. Time and time only is the impartial arbiter in such issues as this. Passion must cool, prejudice must die before justice can prevail. Therefore, in considering this regrettable chapter in our history, we shall abide by official reports which are the only available source of

authentic information and the nearest approach to impartial truth.

On February 25th, and while the sixth legislative assembly was in session, twenty-seven members of the senate and house signed a memorial addressed to the senate of the United States, alleging corruption in the election of W. A. Clark as senator from Montana and remonstrating against his being seated. A later protest signed by Robert B. Smith,<sup>10</sup> gov-

<sup>10</sup> Robert B. Smith was born in Hickman county, Kentucky, on December 29, 1854. In the public schools of his native state he received his early education, later completing an academic course at Milburn, Carlisle county. He then began the study of law in Mayfield, Kentucky, in the office of Edward Crossland, an eminent lawyer of that state.

In 1877 he was admitted to the bar and at once he began the practice of his profession. In 1882 he came to Montana, settling at Dillon, where he acquired a lucrative business, but in 1887 he decided to move to Helena, where he formed an association with Samuel Word, whose son, Robert Lee Word, was later admitted to the firm. In 1892 Samuel Word retired from active practice, and Governor Smith and R. L. Word, under the firm name of Smith & Word, continued to attend to a large and lucrative business until the senior member, as governor, appointed his associate to a position upon the supreme court of Montana. As governor Mr. Smith made an enviable record and is known as the only war governor Montana has ever had. He was occupying the gubernatorial chair when the Spanish-American war broke out and by virtue of his position sustained the responsibility of selecting the officers who commanded the First Montana Infantry, U. S. V., in their arduous services in the Philippines. Here he showed his patriotic desire to serve his state by refusing to play politics. He endeavored to select the most capable men for military service and commissioned such officers as were recommended by Colonel Kessler and Lieutenant-Colonel Wallace, without regard to their political affiliations. After his official duties were over, Governor Smith moved to Butte and resumed the practice of his profession, in which he was recognized as both able and learned.

He was a member of the constitutional convention of 1884. In the following year he was appointed United States district attorney for Montana by President Cleveland, resigning March 4, 1889. In 1894 he ran for Congress as the nominee of the People's party, but was defeated. In 1890 he was city attorney of Helena. After an active life he died on the 29th of November, 1908.

ernor of the state; T. E. Collins, state treasurer; Henry C. Stiff, speaker of the house of representatives; A. J. Campbell, member of congress from Montana, and C. S. Hartman, ex-representative in congress, was also presented, and on December 4, 1899, the case was referred to the committee on privileges and elections of the senate, which was vested with authority to subpoena witnesses and enforce the production of documentary evidence. After a prolonged investigation during which many witnesses were examined, a majority and minority report were presented to the senate, but both of the reports recommended the adoption of a resolution that Mr. Clark was not legally elected to a seat in the senate of the United States by the legislature of the state of Montana, by reason of unlawful acts on the part of his agents and of violation of the laws of Montana defining and punishing crimes against the elective franchise. The majority of the committee found substantially the following as the determinative facts in the case:

Prior to 1895 elections in Montana were accompanied by enormous expenditures of money unquestionably involving widespread belief that extensive corruption was resorted to in all elections, Ex-Governor S. T. Hauser, a witness called by Senator Clark in his defense, testified that at the first state election the Big Four,—so-called—consisting of Senator W. A. Clark, C. A. Broadwater, Marcus Daly and himself, as first contributions gave \$40,000 each; and he also estimated that the expenditures made in connection with the contest to determine whether Anaconda or Helena should be the capital of the state were upwards of \$1,000,000. Senator Clark said he spent over \$100,000 in that contest.

In the summer of 1898, after he had consulted with several of his supporters, a committee of his friends was created outside the state committee of the Democratic party, which was in the hands of persons not favorable to him; this, his committee, being organized for the purpose of controlling the politics of the state and securing the legislature to meet in

January, 1899. To this committee Senator Clark gave authority to expend money which he agreed to furnish; an estimate, however, being made that at least \$35,000 would be necessary to secure the state convention, and that \$75,000 might be needed to secure the state legislature.

The advances and payments made by Senator Clark to his committee and agents, as admitted by him, amounted to about \$139,000.

The evidence further showed that various members of the committee or agents of some of them prior to the meeting of the sixth legislative assembly, or during its session, purchased real estate consisting of town lots or ranch property of members of the legislature. A legislator named H. H. Garr, prior to this session had been earning from \$50 to \$75 per month as a notary public and possessed little or no property. Borrowing \$25 he went to Helena to take his seat in the assembly. After the adjournment he purchased a ranch for \$3,500, for which he paid in currency, including a thousand-dollar bill, and put the property in the name of a relative of his wife who had been boarding with his family at the rate of \$2.50 per week. He said he obtained the money from this person, believing the relative mentioned had accumulated it and kept it in a box in his house, but he had no knowledge of how this sum had been saved. One of the committee had obtained interviews with Garr before the legislature met with a view of securing his vote. John H. Geiger, given a seat in the legislature as a Republican in place of Fred Whiteside who was deprived of his seat by the votes of Republican and Democratic supporters of Senator Clark, was without regular employment and entirely without means. During this session of the legislative assembly he received and carried home with him \$3,600. After accounting for a small part, he claimed he won this money gambling and through \$1,100 in bills which he found in his room and believed came in connection with some bills pending in the legislature. Stephen Bywater, a Republican, a railroad conductor by occupation, also voted for Senator Clark.

Immediately after the legislature adjourned he deposited in a bank \$15,000. In accounting for this sum, he said he brought \$6,000 of it in currency from his home in Kalispell, and that he received \$9,000 from his brother for the purchase of stock in a mining company. He produced no documents to confirm his statement. W. W. Beasley, a Republican representative, voted for Senator Clark. Immediately after the election he left Helena for St. Paul having in his possession about \$5,000 in currency which included a thousand-dollar bill. Beasley claimed that he had taken this money with him to Helena and carried it in his vest pocket during the whole session because, being in embarrassed circumstances, he feared law suits. When he was elected as a representative he owed a board bill of nearly \$400. He produced no writing showing how he got the money or what he did with it. The findings of the committee on privileges and elections contain other facts based upon evidence of a similar character which need not be quoted.

#### THE WHITESIDE \$30,000 INCIDENT.

In addition to the foregoing, the majority report of the committee, touching the \$30,000 produced by Fred Whiteside before the state legislative investigation committee, reviewed the evidence because there was a difference of opinion among the members of the committee concerning the matters brought out at the trial.

W. A. Clark (state senator from Madison county, not Senator W. A. Clark whose seat was challenged by the memorialists) and Fred Whiteside testified that John B. Wellcome placed \$10,000 in an envelope and handed it to Mr. Whiteside, Mr. Clark's initials being written by the latter on the back of the envelope, the amount to be delivered to Mr. Clark in case he voted for Senator Clark. This money was part of the \$30,000 produced by Mr. Whiteside before the legislative committee. Mr. Wellcome denied these statements. State Senator H. L. Myers testified that in like manner \$10,000 was placed in an envelope, upon

the back of which he wrote his initials, and the package was retained by Mr. Whiteside to be delivered to him in case he voted for Mr. Clark. M. L. Hewitt testified that C. W. Clark authorized the payment of \$10,000 to Myers. Clark denied this statement made by Hewitt, and Wellcome denied the statement made by Whiteside. Whiteside swore that in like manner \$5,000 was furnished him by Wellcome to be given to representative H. H. Garr, that it was placed in an envelope on the back of which Garr wrote his initials and Whiteside retained the package as in the other cases. Garr admitted seeing the money and writing his name on the envelope, but said it was for purposes of identification and that he did not know what the transaction meant. Wellcome denied these statements. Whiteside testified that in like manner \$5,000 was given him by Wellcome as part of \$10,000 which he was to receive for his vote for Senator Clark, which he placed in an envelope and later produced before the legislative committee. Wellcome denied these statements. Weighing the testimony, contradictory as it was, the committee in its report said:

"It is in connection with these last four cases of attempted bribery—those of Messrs. Clark of Madison, Myers, Garr and Whiteside—that the controversy concerning Senator Clark's election had been largely maintained from the beginning.

"The reasons why a majority of the committee find that, on the whole, the statements of Messrs. Clark of Madison, Myers and Whiteside are true, notwithstanding the denials of Mr. Wellcome and others, may be briefly stated. The three accusers undoubtedly occupied the position of detectives, who wilfully deceived the parties with whom they were dealing and against whom they made charges. On the other hand, the parties against whom they testified and who made the denials are charged with crimes to which, if guilty, they would be quite certain to add the offense of false swearing."

There had been made the charge by the supporters of Senator Clark that the accusation



had been made against him and the resultant exposure had been brought about through a conspiracy formed and carried forward by Marcus Daly, and that the \$30,000 produced by Whiteside before the legislative committee was "Daly money." The committee on privileges and elections found that the charge was not supported by the evidence, direct or circumstantial.

Much evidence furnished by the prosecutors or memorialists was rejected by the committee of the senate as unreliable, many of the witnesses making contradictory statements and clearly having sought to obtain money from both sides of the controversy for testifying. It appeared in the course of the trial that to obtain evidence against Senator Clark, A. J. Campbell, having in charge the prosecution of the case on behalf of the memorialists, made a suggestion in a letter to a detective employed by him indicating that he wished the detective to obtain information from some member of the grand jury of one of the counties in Montana, and that his secretary gave several hundred dollars to two persons who made affidavits bearing on matters involved in the prosecution, the drafts for which sum Campbell paid. It was also shown that Mr. Campbell, in the course of the preparation for and the trial of the charges preferred by the memorialists, participated in intercepting and opening a letter written by one to another of Senator Clark's adherents. The committee also commented on the fact that Campbell was nominated for congress at the Democratic convention of 1898 by the supporters of Senator Clark, as well as by other members of the convention, but in June, 1899, became the attorney for a corporation in which Marcus Daly was largely interested. In reference to the activities of Mr. Campbell and Mr. Whiteside, "some members of the committee could not refrain from expressing their disapproval of many methods pursued by Mr. Campbell and Mr. Whiteside in the prosecution of the charges against Senator Clark, and they did not approve of the actions of Mr. Daly in

agreeing to furnish an unlimited amount of money to carry on the prosecution."

#### THE APPROACH TO THE SUPREME COURT

The majority of the committee on privileges and elections dwelt with the evidence touching the attempt to approach the supreme court of Montana and found that proceedings were commenced against John B. Wellcome for the purpose of securing his disbarment for attempted bribery in connection with Senator Clark's election; that on August 5th, 1899, after the court had decided that it had jurisdiction, Dr. William Treacy, a Republican advocate of Senator Clark, approached Mr. Justice W. H. Hunt, one of the three members of the court, with a proposition which he said was from a party in Helena that Judge Hunt could have \$100,000 if the court would dismiss the Wellcome disbarment proceedings, and he advised Judge Hunt to accept the amount. On that day a special train had arrived from Butte bringing some of Senator Clark's over-zealous friends. They interviewed John S. M. Neill and other Clark adherents of Helena. They stated that the purpose of their visit was to get an attorney to prepare and file an answer for Mr. Wellcome in the pending disbarment proceedings and that they returned to Butte in the afternoon of the same day after one of them had had an interview with Mr. Justice Pigott, one of the supreme court judges. Judge Pigott testified that Frank E. Corbett from Butte told him that he had come over on the special train because Mr. Neill on the previous night had telephoned to Butte that it had been ascertained that a deal could be had with the supreme court, that Mr. Corbett condemned such a movement, that he held a mortgage of \$24,000 on Mr. Neill's newspaper and would foreclose it if Mr. Neill made any such attempt. All of this was denied. On three occasions Dr. Treacy was said to have approached Attorney General C. B. Nolan, who was in charge of the proceedings against Mr. Wellcome, and proposed to him to accept \$100,000 to dismiss the disbarment proceedings.

From these statements, partly undisputed and contradicted in part, a majority of the committee expressed their belief "that Senator Clark's agents in their desperation on account of the decision of the court to take jurisdiction in the Wellcome case, attempted an improper approach to the judges of the court and to Attorney General Nolan." The minority members of the committee found "that the evidence did not sufficiently bring home to Senator Clark or his agents any improper attempt to influence the court or the Attorney General."

Senator Clark in his own behalf testified that the campaign resulting in his election to the United States Senate was carried on by his friends who were engaged in endeavoring to secure his selection as senator, and not by himself; that the money furnished by him to his friends between August 1st, 1898 and September 1st, 1899, aggregating \$140,000 according to a statement furnished by him, was intended to be employed for legitimate purposes; that he never authorized anybody to use it unlawfully, and he did not believe that the men associated with him would so use it; that they were men of integrity and honor, that there were many ways of spending money legitimately in Montana for election purposes, where election districts were remote one from another, where voters had to be brought 150 miles to register and where the registration districts, the vote of which a candidate desired to secure, were so sparsely settled that arrangements necessarily had to be made to bring the people in to register or lose them. The Senator told of conditions theretofore existing that had made people indifferent in the exercise of the franchise by reason of the large sums of money that had been expended in Montana politics and as a result thereof electors had to be urged to vote and a campaign of such a character required the use of many men to go around among the voters to stir them up and get them out. It appeared that Senator Clark had little or nothing to do with the details of his campaign but left the matter

to those in whom he reposed full confidence. It was his belief that they had conducted his political affairs legitimately and honorably.

The majority report of the committee on privileges and elections adopted as one of the principles of law governing the decision in the case that if by bribery or corrupt practices on the part of friends of a candidate who were conducting his canvass, votes were obtained for him without which he would not have had a majority, his election should be annulled, although proof was lacking that he knew of the bribery or corrupt practices. Hence, regardless of his lack of knowledge of what his adherents had done to secure his election, and of his belief that his campaign was lawfully conducted, he was held to be disqualified to sit in the United States Senate because of their acts.

The minority report of the committee signed by Senators Pettus and Harris, agreed with the recommendation of the majority, but it criticised the methods adopted by the chairman of the committee in the conduct of the investigation and protested against hearsay testimony admitted, stating that "it is our misfortune not to agree with the majority of the committee in the general conduct of the investigation of the case. We believed that in this important inquiry the committee was bound by, and ought to act on, the ordinary rules of evidence." It was, however, the opinion of the minority "from the evidence that the friends of Senator Clark illegally and improperly used large amounts of money and thereby caused his election, and that this election is not valid, but under the law of the land is void and therefore we agree to the resolution reported by the chairman."

Before the formal consideration by the United States Senate of the report of the committee on privileges and elections and action on the resolution to the effect that the election was void, Senator Clark addressed the Senate reviewing the history of his political career in Montana, declaring he had in no way been a party to any action deserving censure, but announcing that he had delivered

the resignation of his seat in the Senate to the Governor of Montana. For this reason it was unnecessary to call up the resolution for action. The day following it was heralded abroad from Helena that in the absence of Governor Robert B. Smith from the State, Lieutenant and Acting-Governor A. E. Spriggs had appointed William A. Clark of Butte, United States Senator to fill the vacancy caused by the resignation of Senator Clark. It developed that Lieutenant-Governor Spriggs in attendance upon the National Populist Convention at Sioux Falls, South Dakota, had returned to Montana in the absence of Governor Smith in California, where he had gone on private business at the request of Thomas R. Hinds, and had issued credentials to Senator Clark appointing him to fill the vacancy in the United States Senate caused by his own resignation. Governor Smith at once returned to Montana and declared the action of Lieutenant-governor Spriggs invalid. He at once tendered the appointment to the vacant seat in the Senate to Major Martin Maginnis who, accepting the same, at once left for Washington with a certificate signed by Governor Smith. Neither the credentials issued by Lieutenant-Governor Spriggs to Senator Clark nor those issued by Governor Smith to Major Maginnis were acted on by the Senate and the seat in the United States Senate from which Senator Clark had resigned remained vacant for about a year.

As the home of sensational and astonishing political struggles, Montana is as famous as for her vast natural resources.

Fabulously rich mines owned by wealthy individuals with political aspirations, or by corporations endeavoring to protect their interests or increase their power by influencing politics or legislation to meet their ends—these varied objects rendered more easily to be accomplished by reason of a population comparatively sparse, have been some of the important factors contributing to the political, legislative and judicial conflicts and scandals that have marked and marred the history of Montana's career as a state.

The struggle between F. Augustus Heinze and the allied mining corporations controlled by the Amalgamated Copper Company involved not only the political parties of the time but also the judicial and legislative departments of state government and was one of the bitterest conflicts of its kind ever waged in the United States. Considering the stakes involved and the methods employed to win them, the contest is probably without a parallel in history.

In 1889, F. Augustus Heinze, a young mining engineer recently graduated from the School of Mines of Columbia University, procured employment with the Boston and Montana Consolidated Copper and Silver Mining Company, which owned valuable and extensive mines in Butte. Possessed of a technical education he soon acquired a wide knowledge of the copper deposits of the Butte camp with their intricate and bewildering system of veins that enabled him, under the prevailing mining laws, to launch an attack upon his erstwhile employer and its allied companies that became a thorn in their sides. Marcus Daly and the companies that had been incorporated through his masterful efforts to develop the mineral deposits of Butte and W. A. Clark, who also owned mining property valued at millions, later found it expedient from time to time to ally themselves together for their common protection against him. Prior to the time that Heinze threw down the gauntlet and began his attacks, the courts of Silver Bow county had been singularly free from litigation involving the ore bodies in the Butte Hill considering the geological formation that was conducive to disputes owing to the innumerable rich veins which rendered it easy to claim ownership of ores under the apex theory. This law became a powerful weapon in Heinze's hands. Upon this legal doctrine rested the rule of extra-lateral rights. Possessed of the apex of a vein a locator of a mining claim was entitled, with certain exceptions not necessary to discuss, to follow the vein in its downward course although it might depart outside of the side lines of his



claim. In the early days when mining was carried on principally by isolated individuals or groups of individuals, scattered over a wide territory, it was the policy of the government to encourage these pioneer miners and to give them all possible latitude in developing ore bodies and every inducement to enjoy to the utmost the benefits of every discovery made; hence the doctrine of extra-lateral rights which has at all times since its origin prevailed in the mining states of the west. The theory seemed simple and equitable when simple conditions prevailed, but when one little hill was found to hold practically inexhaustible mineral wealth, when hostile and battling interests rubbed elbows and outcroppings could be claimed by both as apexes with equal probability of truth, and when the ownership of such apexes—or the lack of it—meant the gain or loss of inestimable millions, it may readily be seen that complications would follow. Primitive conditions seemed to justify the adoption of the apex theory, but, with modern mining operations such as must necessarily prevail in Butte, the temptations to prove or disprove extra-lateral rights by the conflicting testimony of experts, opened the door to a disastrous warfare that in the minds of many would seem to vindicate the old common law rule that confined ownership of mines beneath the surface within perpendicular planes drawn downward from the boundary lines of the claim. With the modern doctrine of extra-lateral rights prevailing, and with the stakes amounting to untold millions it was inevitable that with antagonism existing among those operating on the Butte Hill, injunctions, charges and counter-charges of ore-stealing with all the involved complications of one law suit following upon and growing out of other law suits were bound to produce a condition that would involve the contestants in political warfare and invade the courts.

Heinze had acquired the Rarus quartz lode claim for \$400,000. One of his mining engineers obtained employment with the companies that later were controlled by the Amalgama-

ted Copper Company as a holding company, which acquired large amounts of the stock of the subsidiary concerns and thus virtually controlled them all. Information reached him that the Boston companies claimed the apex of the Rarus, which, if true, rendered this claim valueless. Unable to sell out to them he began his onslaught that lasted four years and was not terminated until his interests were bought by his opponents which, having organized the Coalition Mining Company, purchased his properties in the Butte camp in 1904.

The organization of the Amalgamated Copper Company in 1899 which, by ownership of stock, controlled as subsidiary, the Anaconda Copper Mining Company, the Trenton Mining and Development Company, the Boston and Montana Consolidated Copper and Silver Mining Company and the Butte and Boston Consolidated Mining Company, was adroitly employed by Heinze as a means of furthering his own ends. The coming of this great corporation was the signal for the most enormous mining litigation this country has ever seen. Heinze, in the guise of the laborer's champion and the uncapitulating enemy of trusts, waged war upon the Amalgamated. Factionism divided individuals and politics. It was no longer a case of Republicanism or Democracy, but Heinze, with his most effective slogan of "Down with Kerosine" (the Standard Oil Company) against the opposing forces of the Amalgamated. Battles were fought between them to control the legislatures of Montana, and to win political campaigns, but red hot political struggles became secondary to the innumerable legal contests in the courts of Silver Bow county. Legislation might be affected, state or county officials might be elected favorable to one or the other of the contesting factions, but the ownership of the mines themselves must be determined by the courts, and in them the battle waged fiercest. When the title to the millions of wealth lying in the Butte Hill was first sought to be judicially decided, there were two judges presiding in the district court of the second judicial district of

the State of Montana for the county of Silver Bow, Judge William Clancy and Judge John Lindsay. Lindsay's name is not associated with the legal contests between Heinze and his opponents, for hardly a suit was begun in his department and he tried none of the cases to determine ownership of the mines in controversy, as he was succeeded by Judge E. W. Harney. Before Clancy and Harney the whole conflict was fought out. William Clancy had been elected as one of the judges of the district court of Silver Bow county in 1896 through a fusion of the Populist and Democratic parties. He was a Populist and was re-elected to the bench in succeeding campaigns until 1905, having the support of Heinze.

Edward W. Harney<sup>11</sup> was elected as a Democrat to succeed Judge Lindsay in November 1900, going upon the bench in January 1901 and serving as one of the Silver Bow county judges until 1905.

It would unduly prolong the account of this struggle to cover the entire field of judicial controversy between Heinze and his mining companies, the Montana Ore Purchasing Company and other concerns organized by him, on the one hand, and the allied corporations under the control of the Amalgamated, on the other. Heinze's favorite and effective weapon was the injunction. Usually issued at his behest, it was paralyzing in its effect for it closed down immensely valuable properties, put a stop to their output of precious metals and threw thousands of miners out

of employment. Locating a small fragment of ground lying in the heart of large producers, and calling it the Copper Trust, he contended that the great Anaconda, St. Lawrence and Neversweat veins "apexed" in this triangular sliver of unclaimed soil, seventy-five feet long, ten feet wide at one end and tapering to a point at the other. Clancy granted an injunction on the night of December 20th, 1899, and three thousand miners took their buckets and walked down the hill. These men were loud in their denunciations of the court, and claiming that he had issued the injunction through a misapprehension of the facts, within a few hours, Clancy signed an order revoking his former action and the thousands of miners returned to work. In a case against the Boston and Montana Consolidated Company he appointed Thomas R. Hinds, receiver. The supreme court of Montana reversed the order of appointment about six days thereafter. As compensation for his services as receiver, Clancy allowed Hinds the sum of \$200,000, the expenses of the brief receivership amounting to about \$131. Hind's assistants and attorneys were awarded \$81,000. These allowances were reduced by the supreme court. In one of the suits known as the "Pennsylvania case," the undaunted resourcefulness of Heinze was demonstrated. Under order of court he was required to furnish bonds to the amount of \$950,000. The Boston and Montana Company owning the Pennsylvania mine petitioned the supreme court to increase the bond, alleging that Heinze had removed from this claim ores to the value of about \$1,250,000. He was directed to furnish additional bonds to the amount of \$350,000 within twelve days. Not to comply with this order meant disaster. The day before the Heinze Company had to furnish the additional security a company known as the Delaware Security Company qualified to do business in Montana. On the appointed day this concern furnished the bond. Upon a motion to reject it, the supreme court ordered an investigation of the surety company to be held in New York. The consequent delay gave valuable time to Heinze to

<sup>11</sup> Edward W. Harney was born at Rock Island, Illinois, January 19, 1862, receiving his early educational discipline in the public schools of that state, the State University of Iowa, at Iowa City, and graduating in 1885 from Tabor College at Tabor, Iowa. He then took up the study of the law, being admitted to the bar in 1889. He then began the active practice of his chosen profession in Valentine, Nebraska, until 1895, when he came to Montana and opened an office in the city of Butte. The history of his career in this state need not be repeated here, as it is sufficiently covered in the chapter dwelling upon the politics of Montana. He died on the 4th of December, 1907, in Butte.

finally secure funds and furnish a cash bond which enabled his concern to carry on the suit.

Other actions of momentous import to Heinze were the "Minnie Healy" and the "Michael Davitt" cases. During the pendency of the Michael Davitt suit, the contending forces of Heinze and the Amalgamated carried on underground warfare, employing dynamite, hot water, steam and slaked lime as weapons. In this terrific struggle two miners named Oleson and Divil while attempting to install a door at an upraise to prevent the "Pennsylvania" miners from being smoked out, were killed by a quantity of giant powder which came down upon them. The jury at the coroner's inquest over their bodies found that the blast had been fired with criminal carelessness if not with criminal intent. Later the widow of Oleson obtained a verdict of \$25,000 against the Montana Ore Purchasing Company—a Heinze corporation. Federal Judge James H. Beatty on March 30th, 1904, fined Heinze \$20,000 for the violation of an order issued by Judge Hiram Knowles prohibiting mining in the premises in controversy, and it was claimed by the witnesses for the Amalgamated properties that Heinze or his companies had taken over one million dollars' worth of ore from the Michael Davitt veins. In litigation involving the ownership of immensely valuable ore bodies lying between the "Minnie Healy" claim and adjoining properties belonging to the Amalgamated, the same tactics were pursued, and with Clancy's decision awarding this ground to Heinze, a series of giant powder blasts fired almost simultaneously with the rendition of the court's ruling, shattered the area in conflict beyond the hope of mining operations therein until the underground workings could be repaired. The supreme court of Montana finally decided that Heinze had no right to these ore bodies in dispute. The Amalgamated had destroyed its own properties to prevent their falling into the hands of its enemy.

The history of the case involving the "Minnie Healy" reads like a romance. In 1900, Miles Finlen secured a lease and bond on

this property. Having expended over \$50,000 without results, he was willing to dispose of the claim and put an end to further loss. Heinze desired to secure it for strategical reasons, and with Finlen's permission went into possession. Almost immediately he struck an immensely rich deposit of ore which added weight to his theory, that he might contend that the apex of a valuable vein in the "Piccolo" and "Gambetta" claims belonging to the Boston and Montana Consolidated Copper and Silver Mining Company lay within the boundary lines of the "Minnie Healy." A controversy arose between Heinze and Finlen as to the terms and conditions of the agreement under which Finlen had turned the property over to Heinze. Unable to regain possession of the claim Finlen brought suit against Heinze to effect this purpose. The case was naturally instituted in Judge Lindsay's department, but before the trial, Finlen had sold out to the Amalgamated and Judge Harney had succeeded Lindsay.

On June 18th, 1901, Harney handed down his decision in favor of Heinze. In its efforts to reverse the case the Amalgamated's agents discovered that Harney had been corresponding with a certain Mrs. Ada H. Brackett who had been a public stenographer in Butte, and who, it was claimed, was in league with the Heinze faction to influence Harney in the Minnie Healy litigation. This correspondence was procured by the Amalgamated and some of it was used in the appellate proceedings in the case, playing an important part before the supreme court which reversed Judge Harney's decision. On the other hand Harney contended that agents of the Amalgamated had approached him with offers of money to decide the case against Heinze. He testified in the proceedings that he had been offered a lease worth from one hundred to one hundred and twenty-five thousand dollars by an Amalgamated representative. Threats were made to file affidavits of a sensational character against Harney's integrity, unless the judge would grant an extension of time in which the plaintiff in the case might prepare and



serve a bill of exceptions. Harney refused to grant further time and the affidavits were filed. Harney, accused of having accepted money to decide the case favorably to Heinze, was threatened with arrest for bribery, perjury and impeachment, unless he would make affidavit of having been paid for his decision. It was claimed that he was offered as high as \$250,000 in consideration of his admitting he had been bribed to write an opinion awarding the Minnie Healy to Heinze. He declined to make the affidavit, asserting that he had received nothing for the decision rendered. Largely upon the showing of the charges made against Judge Harney in the Brackett affidavits, the supreme court reversed his decision and remanded the "Minnie Healy" case to the court of Silver Bow county for a new trial. It fell into Judge Clancy's department and in October, 1903, he handed down his decision, again finding in favor of Heinze. At the same time, Clancy, in another case, decided that the Amalgamated Copper Company was operating in violation of the laws of Montana prohibiting trusts from carrying on business here. The Amalgamated retaliated by shutting down all of its properties and plants in Butte and throughout the state. This worked a great hardship on thousands of its employees and a miners' meeting was at once called in Butte for the purpose of taking steps to alleviate the suffering that would inevitably follow the cessation of operations by the companies controlled by the Amalgamated. Butte bankers offered to furnish the Miners' Union sufficient funds to purchase the stock of the stockholders in the Boston and Montana and Parrott companies, who had succeeded in having the Amalgamated declared to be an illegal combination under the laws of Montana, and thus bring about the dismissal of the proceedings which had led the Amalgamated to cease all mining operations in the state. The offer was accepted by the union, but owing to the absence of the plaintiffs in that suit—John MacGinniss, the right-hand-man of Heinze in Butte, and Daniel Lamb, another political ally of Mr.

Heinze, nothing could be done towards bringing about a favorable termination of the plan. The committee of the union then sought Heinze. He considered the matter for a day and then made a speech from the court house steps before thousands of miners who went to listen in no amiable frame of mind towards him, but who came away once more his loyal supporters. He made a counter-proposition on behalf of MacGinniss and Lamb, incorporating conditions of his own, intended to be embarrassing to the Amalgamated, and he sought the favor of the assemblage by adding the condition that this company must agree to keep its mines open for a year and pay the existing scale of wages for three years. Should the Amalgamated fail to carry out the agreement, a board of arbitration was to settle all disputes. The Amalgamated ignored the entire proposition and a committee consisting of Governor J. K. Toole and other prominent men sought to bring about the opening of the mines. It was this crisis that led to the calling of the extraordinary session of the legislative assembly in 1903 that passed the so-called "Fair Trial Bill." Upon the passage of such a law the Amalgamated had agreed to resume operations. On November 11th, the day the governor issued the call for the legislature to convene, the whistles on the hill announced a resumption of work. A year later, the judges elected to the bench to succeed Clancy and Harney were known not to be favorably inclined to Heinze and with the organization of the Coalition Mining Company which paid \$10,500,000 for his properties, the protracted struggle between him and the Amalgamated was at an end.

The story of the contest over Senator Clark's election to the senate and the sketch of the conflict between F. Augustus Heinze and the Amalgamated Copper Company and its subsidiary concerns have interrupted the chronological order of events so far as they relate to the various legislative assemblies and elections that took place while these struggles were being carried on.

The important incidents connected with

the legislative assembly of 1901 may be taken up here. Political excitement marked the earlier days of this session. Senator Clark, after the adverse report of the committee on privileges and elections, had, as we have seen, resigned and had been re-appointed to fill the vacancy by Acting-Governor Spriggs. Instead of making a struggle for the office through the appointment of the lieutenant-governor, he had entered the campaign of 1900 intent upon securing an election to the senate, and with the assistance of F. Augustus Heinze, had elected a fusion majority in the legislature pledged to send him to the senate for the full term to succeed Thomas H. Carter. The control of a part of the fusion majority was in the hands of Heinze. Before the time came for caucusing or balloting for United States senator, Heinze heard that Clark had made peace with the Amalgamated, which they had fought the year before. He prevented Clark from getting the necessary number of votes in the caucus and on the first formal ballot held out enough votes to prevent an election. On the following day, however, the members who had refused to vote for Clark, came to his aid and he was elected to succeed Carter. The short term was settled in open session without the intervention of a caucus, but it was not decided until the early morning hours following midnight of the last day of the session. The result was the election of Paris Gibson, a pioneer and founder of the city of Great Falls. This legislative, in accordance with a promise made at the polls the fall before, passed the eight-hour law for the benefit of miners and smeltermen. It was also notable as the beginning of a protracted war between F. Augustus Heinze on the one side, and Clark and the Amalgamated on the other.

In the general election held November 6th, 1900, the Democrats were divided into three factions, but a fusion was effected by the stronger element in the party with the Populist party, and Caldwell Edwards, running for representative to Congress on the so-called Democratic-Populist ticket, was elected,

receiving 28,170 votes. S. G. Murray, the Republican nominee received 23,207 votes. Democrats refusing to support the fusion brought about by the controlling element in the party with the Populist party, nominated C. F. Kelley on the Independent Democratic ticket and he mustered 9,443 votes. A less important element of the Democratic party allied itself with the Socialists and M. J. Elliott, running for representative in Congress on the Socialistic-Democratic ticket received 613 votes.

The eighth legislative assembly of 1903 was the first to hold its sessions in the new capitol building. Although there was no senatorial election to involve this assembly in the usual political furore that inevitably accompanied contests of this kind, the session was one in which political maneuvering played an important part.

F. Augustus Heinze was waging war with W. A. Clark and the Amalgamated Copper Company. The portentous controversies between Heinze and the Amalgamated involving many valuable mines in Butte led these antagonists to attempt to checkmate each other in legislation introduced before this session. In the chapter covering the labors of this assembly may be found a review of the laws introduced and passed by this body. Impeachment proceedings were instituted against Judge E. W. Harney, but they were abandoned. The extraordinary session of the eighth assembly was more notable than the regular session preceding it. It was on October 22nd, that Judge William Clancy handed down his sensational decision declaring the Amalgamated Copper Company to be an "out-law" in Montana. Of this, mention has already been made. The result of his action was a shut-down of the mines and smelters of the company in Butte, Anaconda and Great Falls. It worked immediate and distressing hardship upon thousands of the laborers of the state and their families. Thus was brought about a widespread appeal to Governor J. K. Toole and his proclamation calling the eighth legislative assembly in extraordinary session to enact some measure

that would enable litigants in Silver Bow county to escape from the influence of courts credited with being favorable to Heinze. While entire communities were vitally interested, it was the Amalgamated Copper Company and its allied concerns, that were most directly affected. How the properties of these corporations were again opened, greatly to the relief of the thousands of their employees, has already been told. Pursuant to an understanding arrived at, the shut down ceased and the "fair trial bill" became a law. It did not terminate the mining war. It required a combination of Democrats and Republicans of Silver Bow county later to wrest the control of the judiciary from Heinze.

In the election held November 4th, 1902, the candidates for representative in congress nominated by the various parties were Joseph M. Dixon, Republican; John M. Evans, Democrat; Martin Dee, Labor Party, and G. B. Sproule, Socialist. Dixon received 24,626 votes; Evans, 19,560; Dee, 6,005 and Sproule, 3,131.

In the legislative assembly of 1905, the Republicans were largely in the majority and they returned Thomas H. Carter to the United States senate to succeed Senator Paris Gibson. There was the usual struggle, however, the anti-Carter forces preventing a Republican caucus and the contest was fought out in open session. Senator Carter at all times led in number of adherents, starting on the first day with 30 votes and on the sixth getting 52, which elected him.

Joseph M. Dixon was re-elected to congress at the general election held November 8th, 1904, receiving 32,957 votes. The democrats nominated A. C. Gormley for whom 26,728 votes were cast. J. A. Walsh was the nominee of the Socialists, receiving 4,025 votes.

Aside from the fact that it brought more prominently to the front the man who, in 1912, became the campaign manager of the newly organized Progressive party, the legislative assembly of 1907 was politically un-

important. Joseph M. Dixon<sup>12</sup> had been for two terms a member from Montana in the house of representatives in Washington. This assembly was strongly Republican in both senate and house. A senator was to be elected to succeed W. A. Clark. Dixon and Lee Mantle presented themselves as candidates. Dixon won readily in the Republican caucus and was elected. Later, chosen by Theodore Roosevelt to lead the Progressives in the national election in November, 1912, he became prominent throughout the country and the vote of this new party justifies the belief that he is an astute and able politician.

At the general election held November 6th, 1906, Charles N. Pray was elected as representative in congress by the Republicans, polling 28,268 votes. T. J. Walsh was nominated by the Democratic party and for him 22,874 votes were cast. John Hudson, the nominee of the Socialist party received a vote of 4,638, and the Populist party ran J. H. Calderhead, but he polled only 261 votes.

The next assembly of 1909 may be dismissed from consideration as politically unimportant.

<sup>12</sup> Joseph M. Dixon was born at Snow Camp, Alamance county, North Carolina, on July 31, 1867. He received his preliminary educational training in the common schools and then entered a college maintained by the Society of Friends in Richmond, Indiana. In 1889 he graduated from Guilford College, North Carolina. He arrived at Missoula, Montana, in 1891 and entered the law office of Woody & Webster, where he studied law until the following year, when he was admitted to the bar of this state. Mr. Woody, one of the firm above mentioned, is one of the associate editors of this history. Upon qualifying as an attorney here he formed a co-partnership with I. G. Denny, Esq., and continued the practice of his profession until he was elected county attorney in 1894. He served in this capacity until January, 1897, when he returned to the practice of law. In 1900 he was one of the Republican candidates from Missoula county in the legislative assembly, and was elected. He was at all times a member of the Republican party, when, as narrated in the text, he became a member of the Progressive party and was chosen to manage the national campaign waged by this political organization. He is now a resident of Missoula, Montana.



Charles N. Pray was re-elected to congress at the election held November 3rd, 1908, receiving 32,819 votes. Thomas D. Long, Democrat, polled 29,032 votes, and Lewis J. Duncan, Socialist, received 5,318 votes.

The legislative assembly of 1911 was politically noteworthy as one characterized by a prolonged struggle over the election of a United States senator. The Republicans had 17 members in the senate and the Democrats had 11. In the house the Republicans had 31 and the Democrats, 43 representatives. This gave the Republicans 48 votes and the Democrats 54 votes on joint ballot. A successor of Senator Carter was to be elected. It was impossible to get the Democrats to caucus and hence every ballot was taken in open session. Thomas J. Walsh of Helena was the leader among the Democrats with W. G. Conrad next in strength. Carter had the support of his party. It was generally believed that unless the Democrats finally succeeded in agreeing upon a senator, public sentiment would demand the re-election of Carter rather than have Montana go unrepresented in the senate of the United States for the third time in her history. It was not until the last day of the session that the contest was settled. Judge Henry L. Myers<sup>13</sup> of Ravalli county had not been considered in the race at all. Twenty-seven bal-

lots were taken on this day, the assembly in joint session struggling from noon until late into the night. Then the name of Myers was presented by the Democrats and he was chosen United States Senator receiving 53 votes; Carter, the Republican choice received 45 votes.

Marking the trend of modern legislation in many states, this session passed a law providing for preferential candidates for the United States senate, the popular vote of the people to govern the action of members of the legislature. This enactment, at the next session, brought about the election of Walsh as senator. Following in the footsteps of other state assemblies, a law to permit the adoption of a commission form of government, was passed.

Charles N. Pray was once more elected to Congress at the general election held November 8th, 1910, defeating the Democratic nominee, C. S. Hartman, by a vote of 32,525 to 28,180.

Politically, the legislative assembly of 1913 was unique. It was the last one called upon to elect a United States senator. For many years the amendment to the federal constitution giving to the people the right to elect senators directly had been progressing towards final adoption. The Montana assembly of 1913 ratified it and, as heretofore told in another chapter, it formally was proclaimed a part of the law of the land shortly after this session adjourned. But the legislature of that year chose a successor to Joseph M. Dixon. By the law of Montana all members of the assembly, who had taken the oath upon their nomination to vote for the candidate receiving the highest vote, were supposed to vote for Thomas J. Walsh. He had received the highest number of votes at the election in 1912. There were some members of the legislature, however, who were not bound by this pledge. They were the hold-over senators. Nevertheless, the popular choice of the people received the votes of all the members of both senate and house; all of the Democrats, but one, then absent, and all

<sup>13</sup> Henry L. Myers was born October 9, 1862, at Boonville, Missouri. He attended the public schools of his native town, later finishing at an academy situated there, and by means of teaching school and working on a local newspaper, acquiring means to complete a course of study in law. At the age of twenty-three years he was admitted to the bar of his native state and later began to practice his profession at Boonville and West Plains. In 1893 he arrived at Hamilton, Montana, where he soon acquired a lucrative law business. In 1899 he and Robert A. O'Hara associated themselves together and became one of the leading firms in western Montana. He was elected county attorney in 1894 and was re-elected in 1896. In 1898 he was chosen state senator in the legislative assembly. At the time of his election to the United States senate he was a judge of the district court. At the present time he is Montana's senior senator in the senate of the United States.

of the Republicans and Progressives and the solitary Socialist member of this assembly voting for the preferential candidate. Thomas J. Walsh was declared the unanimous choice of the legislature for United States senator. Henceforth, the right to elect United States senators will not be exercised by the law-making body. This exercise of power has been placed directly in the hands of the people.

In the election held November 5th, 1912, for representatives in Congress, there were two candidates nominated by each party owing to the new apportionment following the census of 1910 which entitled Montana to two members in the lower house of congress. The Democratic party nominated Thomas Stout and John M. Evans, who were elected. Stout received 25,857 votes and Evans 24,582. The Republican candidates were Charles N. Pray<sup>14</sup> and W. F. Meyer. Mr. Meyer died during the campaign and the State Republican committee placed Lieutenant-governor W. R. Allen on the ticket to fill the vacancy. Pray received 23,505 votes and Allen 19,733. The newly organized Progressive party placed T. M. Everett and George A. Horkan on its ticket and Everett polled 16,644 votes. Horkan received 15,373. The candidates of the Socialist party were Henri La-

Beau and J. F. Mabie, who received 10,271 and 10,062 votes respectively.

Laws reflecting the trend of political evolution now appear upon the statute books of Montana, which a generation ago would have been considered revolutionary. The initiative and referendum has been grafted upon the state constitution. The election of United States senators by the people and not by the legislature has at last been brought about. Other statutes, reflecting the growth and development of the political life of the people have been enacted here. There is a growing re-alignment among the old parties and a new one has developed within the present century. In the election of 1900, the candidate of a party calling itself the Socialist-Democratic received 613 votes. This was the forerunner of the Socialist party which in 1902 for the first time entered the political arena with a ticket upon which G. B. Sproule, running for congress received 3,131 votes. Ten years later this party polled over 10,000 votes and in the legislative assembly of 1913 succeeded in electing a member to the lower house.

This chapter would be incomplete without reference to this party and the following contribution of Lewis J. Duncan, one of the leaders of the socialist party of the state, is given, from which may be understood the reasons for the growth of this political organization.

From the socialist view-point, the state of Montana is a favorable field for socialist propaganda and party growth, and the facts of political experience in the state bear out this hypothesis. The economic relations here are typically capitalistic, and the political history of the state demonstrates the political domination of capitalist interest. The great quartz mining corporations with their affiliated smelting and lumber interests and the railroad corporations with their affiliated land, coal-mining and elevator interests have hitherto been able to control the state politically through the old party organizations, thus converting the state government into a political instrument for the furthering and accom-

<sup>14</sup> Charles N. Pray was born at Potsdam, New York, in 1871. He received his education in Middlebury (Vt.) College, graduating in 1888; thereafter he entered the Chicago College of Law, receiving a degree of LL.B. in 1891. He was admitted to the bar in the following year, and at once engaged in the practice of his profession at Fort Benton, Montana. He was prosecuting attorney for the twelfth judicial district from 1899 to 1907, being nominated in the latter year by the Republican party as its candidate for representative in congress. He was elected, as narrated in the text, and renominated and re-elected for the two succeeding terms. He served Montana in the lower house of the federal congress continuously from 1907 to 1913. He was again nominated by the Republican party in the year last named, but was defeated. He now resides in the city of Fort Benton, where he is engaged in the practice of his profession.

plishment of legislation and the execution of laws favorable to the absentee stockholders of the large corporations and inimical to the economic interests of the wage earning and farming classes who constitute by far the larger percentage of the population of Montana.

As soon as this economic and political situation should become evident to the people of Montana, it was inevitable that the numerical strength and political significance of the socialist party should become more and more powerful and compelling. At first, this popular revolt against class rule would manifest itself in the city of Butte, the largest industrial center, where the population is predominantly wage-earning. But eventually, as the economic development of the state proceeded, this revolt would, as inevitably, spread to the rural population and the smaller industrial cities and towns. This is the uniform law of socialist growth, and it has held true in this state.

A very significant fact in this connection is the growth of socialist strength in the farming districts. Probably forty per cent of socialist party membership in Montana is composed of working farmers or dwellers in small farming communities. This can be accounted for, first, by the social forces of capitalist development, which eventually operate to exploit farming producers as severely as they do the wage earners in industrial occupations, and, second, by the fact that hundreds of wage-earners, who have taken up land with a view to securing greater economic independence, have carried their working class education and ideas with them and have become, in their several localities, the propagandists and organizers of socialism among the farmers. This phenomenon of rapid socialist growth among farmers is unique in socialist history in the United States. The only other state in which the same condition obtains to so great a degree is Texas.

The first socialist local in Montana was organized in the city of Butte in the month of May, 1899. The organization was perfec-

ted in Fox's restaurant (now Worth's Cafe) No. 71 East Park Street. The charter members of this local of the Social-Democratic party (which was the name by which the party was then called) were J. F. Fox, P. J. Cooney, O. M. Partelow, Martin Elliott, J. F. Mabie, H. S. Davis, W. H. Pierce, Paddy McMahan, John Horan, Frank Marsland, Jas. Hoar and L. A. Van Horne. At this time the party here and elsewhere was largely Utopian in character, and lacking in the philosophical foundations which a more studious regard and familiarity with the scientific literature of the international movement have brought about since. But, from the first, socialism in Montana has been characterized by strong working-class consciousness and the revolutionary proletarian spirit. Unlike many other similar organizations in other parts of the nation, the socialist party in Montana has always carried on its propaganda and campaigns without asking aid from the national organization and without solicitations for financial assistance from the party membership in other states.

In January, 1900, a state organization was formed with John N. Heldt of Helena as the state secretary. At that time, the party comprised only six locals, Butte, Great Falls, Helena, Chico, Livingston and Bozeman, and the total number of dues-paying membership probably did not exceed one hundred. Nevertheless the party nominated a state ticket and carried on a campaign that year, with the result already stated in this chapter.

The vote in 1900 was encouraging to the party members and for the next few years the work of propaganda and organization was pushed vigorously. By 1904, the dues-paying membership had increased fully four hundred per cent. Headquarters were established at Livingston with James D. Graham as state secretary. In 1903 the great party victory in this state was at Anaconda where the socialists swept the city in the municipal election. While the administration gave the citizens excellent service, it was not regarded favorably by the Washoe Smelter magnates.



The "blue card" system eliminated most of the active socialists from the city and threw a fear into the smelter employees from which the workers in that city have never since fully recovered. It is known amongst socialists as "the city of whispers." The fall elections of this same year showed another increase in the socialist vote that still more encouraged party members to extend propaganda efforts.

In the year 1905, the state organization took over the plant of the *Montana News* of Helena and made this paper the party organ under the editorship of Mrs. Ida Crouch Hazlett, a well-known socialist writer and platform agitator. During the next three years the dues-paying membership increased and the voting strength of the party showed correspondingly rapid growth. By 1908 the party membership had reached about 800 and the vote was 5,855 for the national ticket. But the financial burden of maintaining the *Montana News*, combined with dissatisfaction with the conduct of party affairs, had developed a factionalism in the ranks of the membership, and during the last months of 1908 and for the most of the year 1909, the resulting strife brought locals and the state organization into a chaotic condition bordering on wreck. By the end of the year 1909, there were not more than 200 good standing members in the party. In January, 1909, the party by a referendum vote discontinued the *Montana News* and discharged the editor. A new state secretary was elected in the summer of the same year and the work of building up party membership was begun afresh.

In the spring of 1910, Lewis J. Duncan of Butte, then minister of the Unitarian church, was called to the state secretaryship, and about the same time he resigned from the ministry and took up the party work. By the end of the same year, the state organization comprised between forty and fifty local organizations and a paid up membership of approximately one thousand.

In Butte, during the latter part of that year, the local organization began the publica-

tion, for free distribution, of a semi-monthly four page paper—*The Butte Socialist*. The effectiveness of this propaganda organ as a factor in elections was evident in the municipal campaign of 1911, when the socialists elected the mayor, city treasurer, police magistrate and five aldermen. Thereafter, in August, 1911, a corporation, the Butte Socialist Publishing Company, was organized with capital stock of \$10,000. In 1912, the publication of a weekly subscription paper, the *Montana Socialist*, for circulation throughout the state was undertaken by this company and the venture has met with signal success.

On his election to the mayoralty of Butte, Mr. Duncan resigned as state secretary of the party. Alma M. Kriger, of Butte, was elected as his successor and backed by an efficient state executive committee, consisting of C. A. Smith of Butte, D. R. McCord of Basin and H. P. Nevills of Conrad, the work of organizing the state was vigorously prosecuted. The large increase of the vote and the election of one assemblyman from Lincoln county in the campaign of 1912 testifies to the readiness with which the voters of Montana receive socialist teachings. The second victory in Butte, in the spring of 1913, when the party was opposed by a fusion of democrats and republicans, also testifies to the same proletarian psychology, as well as to the practical efficiency of socialists when entrusted with political responsibilities.

At this writing, June, 1913, the socialist party state organization comprises one hundred and five locals and a paid up membership of over 1,800 persons. There are socialist organizations in every county in the state. The distribution of socialist literature and the selling of socialist books and pamphlets goes on continually and increasingly. The party is harmonious and militant and enjoys the confidence and close fraternal sympathies of organized labor throughout the state. It is especially strong in the cities of Butte, Great Falls, Missoula and Lewistown, and as stated above comprises an extensive membership in rural towns and districts.

## CHAPTER XXI

### HISTORY OF MINING IN MONTANA

Placer gold was the lure that attracted the first prospectors. These men with little or no capital and only the most primitive methods, followed the streams, washing or "panning" the gold-bearing gravel, "stampeding" at every rumor of a strike. Impulsive, impetuous, mercurial, dropping one prospect for more promising diggings, they were a distinctive type of hardy American manhood. A. K. McClure writes:

"The richest gold-beds are hastily and imperfectly hurried over, leaving more in them than is gathered from them, and new prospects or diggings call the heroes of the pick and spade from Alder to Helena, from thence to Deer Lodge, thence to Salmon river, and so on through the hundreds of placers where the incalculable wealth of the mountains is developed."

Today the prospector was here; tomorrow he was gone. But who can wonder! Excitement was at fever-heat. It was a wonderful game that he played and the stakes were vast beyond calculation.

These prospectors had not the means and perhaps not the inclination to delve below the grass roots in search of veins; that work remained for groups of individuals or companies with capital at their command.

Quartz lodes were discovered as early as 1862 but the remoteness of the territory from the railroad and the consequent difficulties in obtaining machinery necessary to this character of mining retarded its development. Hon. W. A. Clark in an address delivered at the Centennial Exposition in Philadelphia in 1876, gave the following able and comprehensive account of the beginning of quartz mining in Montana:

"The history of the development of the quartz mines in Montana is almost contemporary with that of the placers. The Dacotah lode, bearing gold quartz, was discovered near Bannack and located on November 12, 1862. The decomposed quartz from the surface of the vein was packed down from the hill on which it is situated to the creek and the gold panned out. This is a process familiar to miners in which the gold, by dexterous lateral movements in the pan, immersed in water, is caused to sink, while the lighter earthy matter is **gradually** carried away by the water. A mill to crush the quartz from this lode was begun by Wm. Arnold in the winter of 1862 and finished by J. F. Allen the following spring. The motive power was water. The stamp stems, four in number, were made of wood, and the shoes and dies were made of old wagon tires cut and welded together. This primitive affair was followed in 1863 by the erection of other mills, which had been transported from Colorado and the east, and from that time to this the gold quartz near Bannack has given employment to several mills almost uninterruptedly. Gold-bearing quartz was sought for and found in nearly all the placer districts. Then followed the era of mill building for their reduction, many of them costing from twenty to fifty thousand dollars, were erected in the several counties in the years 1864-5-6. Inexperience and insufficient preliminary examination of supposed rich lodes led, in many instances, to disastrous results. Shafts sunk only to the depths of ten or twenty feet gave prospects and assays which begat hopes sufficient to induce large expenditures in the erection of works, and proving barren at greater depths left the mills idle, like

stranded ships and the builders bankrupt. Many of these monuments of folly are now to be found in the quartz districts and some have been removed to paying mines and some converted into mills for the reduction of silver ores; while some were exceptionally fortunate in having been built at valuable mines and were operated. Twenty mills, costing four hundred thousand dollars, have been built in Lewis and Clark county alone. The Whitlatch-Union lode near Helena was located in the winter of 1864 and has yielded paying gold quartz for

thousand dollars in value, which are gorgeous to behold and believed to be the most interesting collection in the world of gold bearing quartz.

"At Silver Bar, Summit, Meadow Creek and Sterling in Madison county, Radersburg and Crow Creek in Jefferson and several other localities besides those previously named, mills are in operation working gold quartz with valuable results, and the product of gold from this source is important yet it is evident that the greater wealth of the Territory lies locked up in silver ores. But little attention was directed to these in the early years of our history owing to want of knowledge as to their character and the methods of their reduction. Most of the various combinations of silver occur: argentiferous galena, grey copper, argentite, stibnite, ruby silver, cerargyrite, stibnite, etc. Of the real silver ores, argentite and antimonial sulphide are the most abundant and are usually found in a silicious or calcareous gangue, while in many places the ores are associated with intractable bases, which render smelting necessary for their beneficiation. Galena lodes carrying silver were found at Argenta in the summer of 1864 which caused the first silver excitement in the Territory. Since then furnaces for smelting were built and operated there at intervals, but never with any marked success and they are, with one exception, now idle. The silver mines at Philipsburg, in Deer Lodge county, were discovered in 1865, and a ten stamp mill was built the year after by a St. Louis company which is now working the ores owned by them. Another mill was built in 1874 to reduce the ores of the Speckled Trout mine, which was replaced last year by a new ten stamp mill at a cost of eighty thousand dollars. At the St. Louis mill ores are treated by wet crushing and the Washoe process of amalgamation without roasting.

"Sulphate of copper and common salt and mercury are the re-agents employed. At the other mill the ore is first reduced by a Blake Crusher, then dried, crushed, chloridized in Bruckner Cylinders by the action of heat, and



WINTER QUARTERS OF WALTER COOPER  
IN HELENA IN 1865.

a distance of two thousand feet along the lode and has been worked in places to the depth five hundred and eight hundred feet in the dip of the lode. Several mills were built to reduce the quartz of this lode, many of them proving very profitable investments and the yield of this mine since its discovery has amounted to about three millions of dollars. The Atlantic Cable lode, in Deer Lodge county, proved also to be remarkably rich, but the owners becoming involved in litigation, it has not been worked for several years past. From this mine in 1872 was extracted by Mr. S. Cameron, some specimens of gold quartz about ten



chlorine obtained by the decomposition of salt with sulphuric acid. It is subsequently transferred to revolving iron in which the argentic chloride is decomposed by the iron of these pans, mercury is added and an amalgam of silver formed. The free mercury is strained from this through canvas strainers. The amalgam is placed into cylindrical cast iron retorts, which are gradually raised to a red heat whereby the mercury is distilled off and condensed and the residue, called crude bullion or silver sponge, is melted in plumbago crucibles and cast into bars, assayed and sent to market. From such formations flow the silver streams that enrich the monetary centers of the world."

Other rich quartz mines were located at Unionville and the Park, four miles from Helena.

The Stemple District also near Helena, was one of the most sensationally rich mineral areas of the territory. This section contained the Penobscot and other extensions of the Snow Drift which at that time (1879) were considered "probably the most valuable gold quartz mines in the world." Major Walker states that: "The famous Penobscot brick was cast at Helena, April 14, 1878, of \$54,262.62, the net proceeds of the mine for thirty days. The development of the Penobscot in February, 1878, by its then sole owner Nathan S. Vestal, and its product of thousands of dollars daily, as exhibited by the ponderous retorts of pure gold in the windows of the banking house of L. H. Hershfield & Bro., Helena, furnished at that time an endless theme of discussion and speculation and created in the mining world a sensation which has no parallel since the bonanza strike in the Consolidated Virginia and California mines, the twin silver wonders of Washoe."

Marvelous as seem some of the accounts of the early quartz mines, there were many failures, owing in most cases, to mismanagement and the difficulties and delays of transportation. A. K. McClure, under date of June and July, 1867, writes:

"I find in Montana the same ill-conceived,

badly managed, and, of course, unsuccessful mining enterprises that the gold-fields of Colorado present, only on a much smaller scale. The failures are not so nearly universal here as there, for the reason that the ores are richer, of easier access, and as yet they have not presented the combination of refractory metals which have defied all ordinary processes in Colorado. Some companies have succeeded in Montana, and are now doing well, with flattering prospects ahead; but in every instance, so far as I have been able to learn, they have been successful rather in spite of the management than because of economy and skill in their direction. There are from twenty-five to thirty quartz mills in this Territory all completed and supposed to be in order for running. Some of them are total failures and hopelessly bankrupt; others are partially defective in their machinery, and must await modification or repairs; still others have the machinery and power, but have been defrauded or disappointed in their mines; and a very few are more than paying expenses. All these failures are in the midst of the richest gold and silver mines on the continent, or probably in the world, and where the gold is more easily obtained than in California—the Montana quartz, as a rule, paying from the surface down, while in California, and most other mines of the precious metals, shafts must be sunk hundreds of feet before 'pay-rock' can be obtained. \* \* \* There ought to be hundreds of quartz mills in operation in Montana today, paying the stockholders their entire cash investment each year in the shape of dividends; but there must be a radical change in the prevalent system of purchasing mines, selecting, freighting, and constructing mills, and their general management, before success will crown the efforts to develop the wonderful wealth of these mountains. There are leads enough opened in this Territory proffering ore that will yield from thirty to one hundred and fifty dollars per ton, to employ five hundred or more stamp mills indefinitely; and by the exercise of a sound judgment in the purchase and opening of the mines the ore could be

reduced at a total cost, including mining and delivery, of from ten to twenty dollars per ton. While in California they work ore profitably that yields from fifteen to eighteen dollars per ton, here no ore can be reduced to pay expenses on a yield of less than thirty dollars per ton, and in many instances it must yield fifty dollars to pay any profit. \* \* \* Out of this (Alder) gulch millions of gold have been taken. For ten miles it has been worked, some places as much as five hundred yards in width, and at its head are now found the richest quartz leads. Although every bushel of earth in the gulch has already been panned, still, it is lined with miners, who are now bringing the more improved systems to work it over again profitably. Ditches have been brought from lakes ten miles distant, and the hydraulic process is at present washing down the hard banks and sluicing the once-worked earth. A number of quartz-mills have already been erected on the leads at the head of this gulch, and, when brought down to proper management and legitimate enterprise, must make immense returns to mill-owners. It is admitted, I believe, that no better-defined or richer leads are to be found on the continent than in the summit district. Imperfect machinery, worse direction, and impatient, ill-advised, and wasteful efforts at development have made failures of mines where practical men would gather fortunes.

"This whole belt, or rather the entire mass of broken and confused ranges, seems to be studded with the precious metals. Helena has taken a sudden start, and now distances this city (Virginia) in population and enterprise. Most productive gulches are being worked there, and very rich gold and silver mines have been developed and tested by mills. Argenta, forty miles distant, has silver mines which yield from \$100 to \$400 per ton, and the lead, or litharge, is worth \$250 per ton at the furnace. The litharge is eighty per cent pure lead, and lead is now worth thirty cents per pound wholesale. It will in a short time become cheaper and supplant wood for roofing. I learn that one company will shortly turn out sheet-

lead for that purpose. Deer Lodge, west from here of a high mountain range, has also developed very valuable gold and silver mines, and rich gulches are being worked there; and Edgerton and Jefferson, directly north of this, are yielding largely of both silver and gold. As yet, the Montana miners have not had to contend with the base metals as in Colorado; but, as they descend in their mines, they will meet with them more or less. Their leads are yet in the infancy of development, and at no point that I have been able to hear from have they reached a depth sufficient to prove the measure of richness of the Montana gold leads. \* \* \* Laborers command \$5 per day; miners, engineers, etc., from \$6 to \$8; and most of the ore is raised by shafts, to hasten operations, instead of tunneling and waiting until proper systematic development is attained. I have seen ore worked profitably that cost \$25 per ton to deliver it from the mines, while in California the same ore would be delivered at about \$3. The hills in which the valuable leads are found are singularly adapted to the cheap delivery of ore by tunnels. Most of the mines I have seen could be reached by tunnels of a few hundred feet, and then be struck at a great depth from the surface. In a few years the mines will be worked as they should be. Speculative companies will die out in bankruptcy, and practical men will make the mountains yield fabulous quantities of gold and silver.

"When it is considered that these mines have not been known more than four years, that they have been almost inaccessible for machinery until one year ago, and then only by the perilous overland route or the almost equally perilous waters of the Missouri, it is wonderful indeed, that human energy could have accomplished what it has accomplished here. It is not strange that its quartz mining is most imperfect in both machinery and management, and thereby rendered comparatively unproductive. Notwithstanding all these obstacles, Montana is second only to California in her yield of gold, and will this year go up to fully twenty millions of treasure, with a gradual in-

crease from year to year, as legitimate enterprise is displayed in her mines of almost boundless extent and bewildering wealth. I doubt whether any part of the world will yield such large returns on the same capital and labor as will Montana, in time. Just now the scientific talent is directed to the mastery of our Rocky Mountain ores; each year will simplify and cheapen their reduction; capital and energy will come armed with the improvements science may offer, and make Montana, now with but four years of history, the great center of the production of the precious metals on this continent. It has the experience of the older mining Territories to profit by, and its almost impassable mountains have been a wall of protection against mad speculation and the waste of millions to paralyze legitimate corporations."

Having briefly reviewed the conditions of the first quartz mining in Montana, we shall now consider separately the more important mineral districts, their early history and later development.

#### THE BUTTE DISTRICT.

##### EARLY HISTORY AND PLACER MINING.

About forty-seven years ago, a traveler, on his way from Virginia City to Deer Lodge, Montana, stopped at a small mining camp that lay along his route. This camp was situated near a long, low hill, wooded with clumps of pine and built up scantily with the log cabins of the early days. The hill itself was the northern boundary of a valley or "flat," stretching away, with some minor undulations, to the south, and rising abruptly into the snow-clad peaks called the Highlands, where the camp of Highland, or Red Mountain, flourished; to the east lay the ponderous spine of the continent—the Main Range of the Rocky Mountains—huge, bearded, forbidding, like a monster of the Jurassic Age sullenly taking his rest; finally, to the westward, the hill itself culminated in a steep, barren "butte," at once giving the settlement its name and bearing evidence of volcanic upheaval in ages past. The

broad slope towards the south on which the town was built was cleft by two gulches, Dublin Gulch and Missoula Gulch. Verily, this was no Garden of the Gods, but rather a grotesque region where elemental forces had held mighty sway. While the traveler noted these things, an old prospector, weary of the precarious luck of placer mining, approached, and offered him six claims on the lean looking hill for five hundred dollars. The traveler, a lawyer by profession, had in his wallet just the exact sum. It was a curious coincidence; six claims for five hundred dollars, and his wallet held the stated price in gold dust. However, the thing seemed preposterous even for a gamble, so he refused the old man's offer, and mounting his horse, went his way. Within the lifetime of the same traveler, those six claims had yielded over a billion dollars; the hill had shed its pine clumps for forests of bristling chimneys and shaft houses, and the obscure camp had become probably the greatest copper district in the world.

The story, much as it sounds like romance, is literally true, and the magical transformation from the "forest primeval" to the city has happened in less than fifty years! There are immense dynamic forces at work not only in the earth itself, but in the air, and under their influence full-lunged, warm-blooded men act vigorously and achieve. No effete luxuries here to cajole the senses into idleness; no perfume of flower and vista of fat valley with low of kine and tinkle of distant bell; no amorous south wind to relax the tension and soothe to stagnation. No! Rather stern, muscle-bearing toil; the ring of pick on rock, the throb and roar of mighty engines undoing with iron might the sedimentary work of Nature through the ages; an environment of naked cliff and crag and chastened winds from snow-cold heights that sparkle, lash and compel. Such are the external conditions, and the same goal, deep-buried in the mountain's breast, is the impetus that draws, binds and rewards.

Originally, Butte, like nearly all other north-western camps, was purely a placer district. It has passed through four distinct epochs of



development: (1) Gold; (2) Silver; (3) Copper; (4) Zinc. In each of these precious and semi-precious metals, save gold, it is phenomenally rich.

The history of the Butte district,—or the Summit Valley Mining District, as it was originally called,—began not long after the discovery of the famous Alder and Last Chance Gulches, when, fired by enthusiasm resulting from those Aladdin-like treasure vaults, energetic prospectors explored every promising nook of the Rocky Mountain Range and its various spurs. It is said that gold was first observed in the placer gravels of Butte west of what is now Main street by an emigrant in the early summer of 1864.

In May, 1864, G. O. Humphreys and William Allison came to this vicinity and camped near the modern city of Butte, in Baboon Gulch. They were the sole inhabitants. Upon the site of that which was afterwards the Original Mine there was an old prospect hole sunk for four or five feet. Close by were elk antlers, which had been used for gads and hand spikes. The work had apparently been done years before, but when or by whom is a mystery that has never been solved.

They spent a month prospecting, and being favorably impressed by the showing, returned to Virginia City for supplies, then came back to Butte early in June. Soon thereafter they located the "Missoula lode." During the next sixty days they ran a development tunnel on their property and organized the "Missoula Company." Shortly after the formation of the company, Dennis Leary and H. H. Porter, who were fishing along the Big Hole, followed the wagon tracks of Humphreys and Allison, having seen and been impressed with the ore samples from the Missoula lode.

Soon rich placer mines were found near Butte with the result that in August the first mining district of the section was formed. William Allison was made president and G. O. Humphreys, recorder. During the autumn the town of Butte was located at Town Gulch, close by the modern city of Butte.

Almost simultaneously with the placer dis-

coveries in and about Butte, others as promising were made by a prospecting party composed of Frank Ruff, Bud. Baker, Peter Slater, and others, on Silver Bow Creek, below the present site of Silver Bow Junction. The news of the Butte and Silver Bow "diggings" spread as only bonanza news can, and in a short time this desolate, uninhabited, mountain-flanked country swarmed with life and activity.

A new district was organized at the lower end of the gulch and named the Summit Mountain Mining District. W. R. Cogswell was recorder. Immediately the camp of Silver Bow City sprang up and became the county seat of Deer Lodge county. It is amusing to note the free and impartial application of the word "City" to these "bonanza" or stampede camps. We find Silver Bow City, Butte City, Highland City, and countless others, when settlements thus dignified were composed of a few "shacks" and log cabins. It is a curious fact that those communities which survived and developed into real cities soon dropped the cumbersome tag; thus Butte City, the camp of '64, is today merely Butte, though it is the largest and most important city in Montana.

Silver Bow City grew rapidly for a while, and during the winter of 1864-65 it boasted of about one hundred and fifty souls, all prospecting, locating and mining with a will.

In the spring of 1865 the original Summit Mountain District was divided, and claims No. 75 to 310, above the discovery on Silver Bow creek, were organized into Independence Mining District.

Other discoveries were made in the vicinity, at German Gulch in 1864, Rocker 1867, French Gulch 1865, Highland Gulch 1866, Red Mountain City in 1867, and Basin Gulch about the same time.

Placer mining was not so profitable in Butte as in many of the other camps. The diggings were shallow. The gold was low grade, distributed in fine particles and brought only \$11 to \$14 an ounce. A serious drawback was the fact that the gravel had to be hauled by ox teams to Silver Bow creek, the only available stream, for washing.

This lack of water led to the construction of several ditches. One of these is still used. The first ditch was built in the old Summit Valley District by L. A. Bernard in the winter of 1865-66 from Missoula Gulch to a point near the old Farlin Mill. The second ditch, known as the Lower Ditch, was dug by the pioneer miners, Humphreys and Allison, during the same season. Noyes and Schwartz commenced a third ditch that winter which was completed in the spring of 1866. In the summer of that year Barnard, Coulson and others began the construction of a fourth ditch line from Divide creek to the placer diggings at Silver Bow, which was the first recorded instance of the waters of the Missouri being carried to the Pacific watershed and used for mining.

The completion of these ditches with the facilities they afforded for washing gold-bearing gravel added much to the prospects of Butte, which burst for a time into the spectacular prosperity of the typical "boom" camp. Hurdy-gurdy houses and "wide-open" gambling dens, besides innumerable saloons, were in full blast.

It is estimated that during the three years that placer mining was carried on in Butte about \$1,500,000 in gold were obtained.

The quartz veins on the hills adjoining the placer mines were almost immediately located by prospectors. The first vein-location was made by W. L. Farlin in 1864,—“who staked the Asteroid claim,—on the great black-stained quartz reef,” west of the present city. This location, called the “Black Chief,” and afterwards the “Travona,” was originally discovered early in 1864 by Charles Murphy, Major William Graham and Frank Madison, who named it the “Deer Lodge” lode.

During the following two years numbers of locations were made, but “at that time only free milling gold ores were sought; the black manganese-stained outcrops of the silver veins were not considered especially valuable.”

Several claims on the Rainbow lode at Wal-kerville were staked during the sixties, and ore from the Mountain Chief shaft was hauled by

wagon to Fort Benton, shipped down the Missouri and taken to Newark, New Jersey.

By the autumn of 1867 many of the shallow placer mines were worked out. The ever restless and shifting population began to disperse and Butte was well nigh deserted. In the winter of 1868 and 1869 the firm of Barnard & Co. constructed a new ditch from Divide Creek to placer mines at Pioneer Gulch, near Silver Bow City. That camp, which had shared the same depression as its neighbor, Butte, received a new impetus. During the spring and summer there was a “stampede” to Silver Bow; its population suddenly swelled to about one thousand; the ditch company sold water for fifty cents an inch for ten hours, wages were \$6 a day, nearly a hundred claims were working and many buildings from Butte were moved to its thriving rival.

#### SILVER MINING

The discovery of the Comstock lode created interest in silver ores. In 1865 a rich silver ore shoot had been found in the Travona Mine. Some of the mines located in the period of depression between 1867 and '70 were the Parrott, the Original, the Gray Eagle, the Mountain, the Brilliant and others. A few still believed in the possibilities of Butte, though the majority had forsaken it for what appeared to be more promising fields. Early in the spring of 1866, Professor Hodge began development work on the Original Mine. He sank a shaft, built a hoist and prepared to construct reduction works. The activities of Hodge & Co. caused sufficient excitement to induce speculators to locate and hold every mill-site and water-right for prohibitive figures. Because of this the company was forced to shut down. That summer others assumed control of the Original, but they, too, failed to make it pay.

The first attempt to work silver ore was in 1866 in a little arrastre located south of the Finlen Hotel. The Continental, “an old 10-stamp battery hauled in from Stirling, Montana,” was the first mill, and it proved to be a

failure. Small quantities of ore from the Travana were roasted and amalgamated and "a few ounces of silver bullion produced," but not in commercial quantities.

The Parrot lead, named in honor of R. R. Parrot, an attorney of note at that time in Montana, was discovered by Dennis Leary, George W. Newkirk and Porter Brothers. In 1866-'67 Joseph Ramsdell and William J. Parks built a furnace in Town Gulch, near the old site of Butte, to smelt ores, especially those extracted from the Parrot Mine. Later Charles W. Savage constructed an arrastre run by horse-power for treating silver ores, and in the autumn of 1868 yet another primitive smelter was erected by Dennis Leary and the Porter Brothers for smelting the ores from the Parrot lode. In this new venture a belows was used for a blast, but failing to understand how to flux the ore, this enterprise did not succeed.

The first important stride in the development of Butte as a silver-producing center was in 1875, when work began in earnest on the Travana and W. L. Farlin commenced building the Dexter 10-stamp mill and furnace close by the mine and treated the ores from the property by chloridizing roasting and amalgamation. However, this mill gave but small revenues in bullion until 1876.

At that time a new and important figure appeared upon the scene to influence the destinies of Butte. This was William A. Clark, one of the wizards of the mining world. He completed the Dexter Mill and from this began the first really successful treatment of the local silver ores. From \$25 to \$30 per ton was charged for smelting, and these revenues were the cause of considerable mill building.

The following estimate of the Butte District given by Mr. Clark in his Centennial Address, delivered in 1876, is of peculiar interest:

"A rich belt of argentiferous lodes outcrops west and south of Helena, on Ten-Mile, Prickly Pear and Boulder creeks. The ores are galena, combined in some instances with a small percentage of zinc blende and antimony, but they readily yield to intelligent treat-

ment in the blast furnace. This same belt has another outcrop westward, beyond the Rocky Mountains, at Butte, in Deer Lodge county, and again still farther at Vipond and Bryant districts in Beaverhead county. At Butte two dry crushing mills have been built, one of them at a cost of about seventy thousand dollars. The ores here receive a chloridizing roasting and are treated successfully at a cost of about twenty-five dollars per ton and saving about eighty-five to ninety per cent of the assay value of the raw ore and producing bullion over 900 fine. Here is to be found the greatest network of lodes in the west. They carry gold, silver, copper and lead and all of these combined to some extent, although the predominant valuable mineral is either silver or copper. These mines, all within a compass of a few miles, are located on a range of low hills near the head of Silver Bow creek and are easily accessible. The country rock is granite, the dip south, the strike northeast and southwest and at right angles to the main range of the mountains at whose base they lie. The copper ores are for a depth of about one hundred feet oxydized, and principally carbonates, carrying from ten to fifty per cent metallic copper. Explorations below water level will, it is expected, reveal sulphides. Several hundred tons of these ores are shipped annually to Baltimore for treatment."

One of the mills constructed in 1868, at Arizona street and Broadway, for handling ores by the free milling process, was purchased later by the Lexington Mining Company. The corporation, which was organized in France, built a 50-stamp mill with roasting furnace in 1881.

McEnery and Packard discovered a claim in 1875 which they named the Acquisition. Some very rich silver ore was taken from this property and shipped by the owners to the well known firm of Walker Brothers in Salt Lake City. The Walker Brothers immediately became interested in the district which produced this ore. At that time there was in their employ one Marcus Daly, whom they sent to



Butte to look over the country, and, if possible, to secure a promising claim.

With the advent of Marcus Daly the second great figure in Butte's mining history appeared. He obtained a bond on the Alice Mine for \$5,000. Robert Walker and Professor Joshua E. Clayton then came to examine the newly acquired property, and chose, or helped to choose, the spot where the main shaft was sunk. Professor Clayton named the wonderful lode on which the Alice, Magna Charta, Valdemere and Moulton claims are situated, the Rainbow, because of the fancied resemblance to the span of a rainbow in the "sweeping curve of its outcrop."

The Alice was the pioneer shaft of the great Anaconda Hill. Sinking was started in the summer of 1876. The shaft had reached a depth of 200 feet by the next year. At this stage of development an old 20-stamp mill was hauled in from Ophir Canyon, Utah. This was assembled and placed on the Alice ground. The plant was designed for the dry-crushing of oxidized or free-milling ores. Water was not to be had in sufficient quantities for wet crushing. The mill began active operation in the autumn of 1877. During 1878 and 1879 a White-Howell roaster was added to its equipment—"thus providing for the chloridizing roasting of sulphide ores, and the Washoe process was introduced."

In 1880 the 60-stamp mill of the Alice Company was constructed. This plant contained two White-Howell roasters and revolving drier. About this time the Moulton mill of 40 stamps, also equipped with White-Howell roasters, was completed. The Silver Bow Mining and Milling Company built a mill in the early eighties for reducing ore from the La Platte and other mines controlled by them. The Bluebird Mine, the story of which is one of the most tragical in the great West, was purchased by London capitalists, who built a 90-stamp mill on the property in 1886. The ruins of that old mill with their suggestion of romance and mellow antiquity, which brought disappointment to many and death at his own hands to Frederick Van Zandt, the ambitious

young projector, are a picturesque feature of Butte's environs today.

The Alice Mine was a success. Marcus Daly had made good for his employers, the Walker Brothers of Salt Lake City. But he was too big a man to work for others. While he developed the Alice for the Walkers he was looking about for himself. It is said that he acquired a one-third interest in the Anaconda Mine, which was purchased in 1880 by J. B. Haggin for the sum of \$30,000. This property consisted of several claims, besides the one from which it took its name. They were the St. Lawrence, the Mountain Consolidated, better known as the "Mountain Con," the Wake-Up-Jim, the High Ore and the Modoc. That same year, 1880, work was begun on the "Never Sweat" claim which was acquired by the company. In 1881 the new Anaconda Silver Mining Company leased the Dexter mill and treated approximately 8,000 tons of oxidized silver ore from the Anaconda properties. This ore yielded on an average thirty ounces of silver to the ton;—it "contained just enough copper to make it unnecessary to add bluestone in raw amalgamation, but yielded a very base bullion, some of which ran only 400 fine."

Marcus Daly had become manager of the mine and he recognized its great promise. "The Alice Mine is good," he said, "but the Anaconda is better." The first reduction plant of the Anaconda Silver Mining Company was a 60-stamp mill for treating silver ore by amalgamation.

Daly's partners became discouraged and at one time there was talk of abandoning the property. However, when the shaft was sunk to a depth of 100 feet a small seam of copper glance a few inches wide was discovered. George Hearst, who was at that time on a visit to Butte, advised deep development and chose the spot for the main shaft. This met with Daly's approval, for he had guessed rightly that this was not a silver but a copper property. At a depth of 300 feet a cross-cut was run which laid bare five feet of copper glance. Daly had spent a fortune before the vast body of copper was struck, revealing the real wealth of the camp.

Walter Harvey Weed, the eminent geologist, writes:

"The climax of what may be called the silver period of Butte's history was reached in 1887, when the Alice mill was dropping 80 stamps, the Moulton 40, the Lexington 50, the Bluebird 90, and the Silver Bow 30, a total of 290 stamps. The amount of ore worked in these mills aggregated nearly 440 tons a day, to which should be added the silver ores shipped to the smelters, aggregating probably at least 100 tons a day. All this ore carried considerable gold. The average yield was probably about \$25 a ton in gold and silver.

"The period of active silver mining continued until 1893, when, in common with other

treated. With the great decline in silver in 1892-93 and the closing down of all the large silver plants in 1896, the mining of silver ores became of relatively slight importance and has since been carried on chiefly by lessees. The present importance of Butte as a producer of silver and gold is due to the fact that each pound of copper produced contains 0.0375 ounce of silver and \$0.0025 in gold, or approximately \$0.021½ in precious metals. According to this ratio the Butte copper mines yielded 8,550,000 ounces of silver in 1891."

#### COPPER MINING

Butte had now entered upon its third and greatest epoch—copper mining. Capital and



RICHEST HILL IN THE WORLD, SHOWING ANACONDA MINE, BUTTE.

silver producers, the Butte mines were almost prostrated by the decline in the price of silver. A few mines, notably the Nettie and Lexington, continued to work up to 1896-97, and others have worked at intervals since then, but none has been an active producer since 1893, save the Lexington, in which veins carrying copper are mined.

"In the history of Butte the metallurgical advance in the treatment of the silver ores has been very steady, the free-milling process giving place to chlorination and roasting, and these in turn to more improved methods, so that ores lower and lower in grade could be

labor flocked to the new field. The day of the old prospector who owned and worked his little holding was gone forever. The hill was too rich and the stake too big for single individuals. Henceforth it was to be Company and Union—Magnate and Laborer.

It must not be supposed that the existence of copper ore had been unknown prior to Marcus Daly's development of the Anaconda Mine. The copper ledges were generally barren so far as vegetation was concerned, and the Parrot ledge, north of the town, "was strewn with copper carbonates," therefore these veins were observed in the early days of the camp. The



Park, the Parrot, the Original and the Gagnon mines, all located on the Parrot lode, were among the first copper properties staked, the location papers having been filed on October 14, 1864. In these beginnings of the great copper industry no ore bodies were believed to exist in the Anaconda Hill. The Anaconda-Neversweat was not located until 1875, the patent not applied for before February 18, 1878, and its marvelous richness not guessed of until it was discovered by Marcus Daly.

Meantime W. A. Clark had not been idle. In 1872 he appeared as a powerful factor in the development of the Butte district. He at once became interested in the copper deposits. In 1873 and 1874 he began work on the Original, Colusa, Mountain Chief and Gambetta claims. He was the first person to ship copper in commercial quantities from Butte. At that time the ore had to be hauled 400 miles by wagon train to Corrine, the nearest railway station, whence it was shipped to the different markets.

The long haul and tremendous expense of shipment practically paralyzed development. An illustration of this is that "a shipment of 35 per cent copper ore from the Green Mountain claim to the works at Baltimore, Md., in 1877, gave no profit to the shipper after mining, freight, and reduction costs were paid, although the ore carried about \$130 a ton in copper (then worth 18½ cents per pound), and not less than \$50 a ton in silver and gold."

Another point to which the Butte copper ores were shipped was Black Hawk, Colorado, where the Boston and Colorado Smelting Company operated a plant. On account of the prohibitive price of transportation to, and smelting at, these far-distant plants, Mr. Clark suggested to the Boston and Colorado Company, in 1878, that a custom smelter be constructed in Butte. Henry Williams, a representative of that concern, was sent to this district to make an examination and report. The showing being a promising one, he favored the enterprise, and upon his advice, in the year 1879, the Colorado and Montana Smelting Company was organized, a site for the new plant purchased and

reduction works were built. Thus the first local market for copper was created.

This was a tremendous stride in the development of Butte, for although large prices were charged for smelting, they were, nevertheless, nominal, compared with the cost of long-distance transportation, and made possible the working of lower grade ores. The Colorado and Montana Company secured leases on the Fredonia, Nettie and Selfrising properties. Using the manganiferous silver ores of these claims as flux, they produced copper matte or regulus, which was then taken to the Argo works in Colorado for greater refinement. This company was reorganized in 1883 and consolidated with the Gagnon Mine. It afterwards became known as the Trenton Company. From the above account it will be seen that through the initiative of W. A. Clark copper ores were first treated on the ground from which they were extracted. Mr. Clark and his brothers, J. Ross Clark and J. K. Clark, secured interests in many different mines. Those which they owned or controlled were the Colusa-Parrott, the Elm Orlu, the Black Rock, the Acquisition, the Travona, the Black Chief, the Mount Moriah, the Morning Star and William Penn, the Neptune, the Stewart and the Fraction. W. A. Clark owned, besides, interests in the Late Acquisition, Little Treasure, Acquisition Spur, Skip, Home, Woolman, Burt, Fashion, Gold Hill, Joseph, Niagara, Raymond, Seymour, Ring Gold, Ella, Spruce and Gold Flint.

W. A. Clark & Bro. purchased the Butte Reduction Works, which were situated on Silver Bow creek, south of the city. This plant was successfully operated until 1906. It was destroyed by fire.

After the old Colorado and Montana works had practically demonstrated that the smelting of copper ores could be accomplished at a profit in Butte, competitors came into the field. The smelters of the Parrott, Montana Copper, Clark's Colusa and the Bell companies were constructed and produced copper matte.

The output of the mines was steadily increasing. Important companies were formed,



among which were the Boston & Montana, the Butte and Boston and the Lexington or the *Societe Anonyme des Mines de Lexington*, as this French corporation was known, and others.

Not only were there many new and rich corporations developing the great system of veins on the Anaconda Hill, but there was also an outlet for the product of the mines.

Walter Harvey Weed writes:

"The advent of the railroads marked the beginning of Butte's prosperity. The Utah Northern, which was finished to Butte, December 21, 1881, gave access to Ogden, Salt Lake City and the markets of the world over the Union Pacific lines. On July 12, 1888, the Montana Central Railway, which for some months had been racing with the Northern Pacific to get to Butte, was completed and thrown open for traffic. The branch line of the Northern Pacific from Helena was never completed to Butte, but a few years later that company built a line from Three Forks direct to Butte. The Montana Union Road, from Butte through the Deer Lodge Valley to Garrison, on the Northern Pacific, built by the Union Pacific interests, was finished on September 8, 1883. An interest in this road was purchased a few years later by the Northern Pacific and it was operated jointly by both companies; it is now owned and operated by the Northern Pacific system."

In 1889 a young engineer, F. Augustus Heinze, arrived in Butte from New York, having completed his studies at Columbia College, and obtained a position as mine surveyor with the Boston and Montana Company. Mr. Heinze was a keen mining man of German antecedents and rich connections abroad. In his capacity of expert, or engineer, he became intimately acquainted with the properties of the "B and M," their deviations in consequence of the right of way bestowed upon the owner of the apex of a vein, and he also possessed himself of information as to existing flaws, weaknesses and certain bits of left-over land hedged in among the boundary lines of claims, through oversight or mistake. About this time,

it is said, a relative bequeathed to Mr. Heinze the sum of \$50,000, with which he made his first investments. On the 11th of March, 1893, he organized the Montana Ore Purchasing Company, and having secured several leases, began operations on the Ramsdell-Parrot, Estella, Rarus and Glengarry, subsequently buying the last two mines outright. Later on, the Corra-Rock Island and Nipper were added to the holdings of the company. With his advent as the head of a corporation, Mr. Heinze took his place as the most picturesque and daring figure in the whole great game, where fortunes were fought for, made and lost through bitter struggle and acrid hostility.

In the spring of 1899 a new and far more powerful corporation came upon the scene. It was the Amalgamated Copper Company, composed of these subsidiary companies: the Anaconda Copper Mining Company, the Parrot Company, Trenton Mining and Development Company, Butte and Boston Consolidated Mining Company and Boston and Montana Consolidated Copper and Silver Mining Company.

The Amalgamated also purchased the entire capital stock of the Washoe Copper Company and the Colorado Mining and Smelting Company, afterwards called the Trenton. The capitalization was increased in 1901 from \$75,000,000 to \$1,555,000,000. Later it obtained interests in the Butte Coalition and North Butte Copper companies.

The coming of this great corporation was the signal for the most enormous mining litigation this country has ever seen. In the historical old court house the wealth of the hill was perpetually in dispute. Geological and other experts, imported from the centers of learning, pitted their testimony against others as astute as themselves. Mr. Heinze bought the Minnie Healy Mine, out of which transaction grew other involved lawsuits. In this campaign against the Amalgamated, W. A. Clark was an ally of F. Augustus Heinze.

All the while there was talk of the larger and more powerful Amalgamated Company buying and absorbing the smaller concerns, of which Heinze was the controlling spirit, and

Mr. Heinze, upon the steps of the old court house (the arena upon which the contestants had met and would meet), declared in legally comprehensive English, with qualifications covering all contingencies, that he would never sell his interests to the Amalgamated. The scene was a dramatic one. Thousands of miners who believed in him as their unflinching champion cheered him on, and, if there had been doubt of his sincerity, it was quelled for the time, at least. It was Heinze who cried loudest of all, "Down with the trusts!" Heinze, who had ardently supported the eight-hour shift, and Heinze, who had with princely generosity presented every man in his employ with a Christmas turkey, though Butte is a city where turkeys come high. Therefore, long live Heinze and the M. O. P.! So they cheered themselves hoarse and were reassured. Still rumor, subtle, irresponsible, but insistent rumor, emanating from no known source and spread furtively by nobody knew whom, said that Heinze was negotiating with a hated trust. Had not Mr. Heinze gone to New York after his speech and remained there for long months bent upon some secret mission? Coincidentally, perhaps, but still curiously, the head officials of the rival company had been in New York also. Therefore, suspicion grew to conviction, and people were scarcely surprised when the official announcement was made in February, 1906, that the Butte Coalition Company and the Red Metal Mining Company had purchased outright the holdings of the M. O. P., saving the Lexington Mine, for the sum of \$10,500,000.

These companies were organized by Mr. F. A. Cole for the purpose of developing and working the newly acquired properties. The Butte Coalition Company was a holding corporation and the Red Metal Company a mining corporation.

For years—indeed, so long as there had been talk of Heinze's selling out,—there had been a fear growing out of it that Butte might become a "one man camp," with no competition to prevent shut-downs or the arch-terror

of a lower wage, in which event the master and the man would meet in a great reckoning; the union of capital and the union of labor.

Death had removed, in 1900, the titanic figure and potent influence of Marcus Daly. Political ambitions and newly acquired interests outside the state occupied the time and attention of W. A. Clark more as the years went by. Therefore it seemed not unlikely that the Amalgamated might eventually control with despotic finality the destinies of Butte.

There was another element to be reckoned with—the miners themselves, allied into a powerful organization over 4,000 strong. As far back as 1878 twelve or fourteen laborers in the mines, foreseeing the complexities which even then were arising from incursions of new and conflicting interests, formed themselves into a union. Their purpose was to establish and maintain a fair wage; to care for the sick and injured, and finally, to bury the dead. From this humble beginning the union had grown into a strong, cosmopolitan body, none the less firm for the heterogeneous elements of which it was composed. If the fame of Butte were magnet enough to attract princes and pirates of finance, it was also sufficient to spread beyond the bounds of these United States and across the seas; to pass from the English tongue to the language of foreign laborer stooping beneath his burden of unrewarded toil. True, the first tales of Butte that went forth were not alluring except in the insidious promise of material wealth. Concomitant with its fame was the story of its ugliness and vice. Dame Nature had turned usurer here; the trees had withered beneath the poison fumes of smelters, the mountain streams were polluted, and even the fair face of heaven was bedimmed with a pall of smoke. Yet in spite of these evils men flocked to Butte. What mattered her dirt or even her infamy so long as she yielded up wealth? The downtrodden of other lands were not restrained by the dark stories of the unfair town, and its reputed resemblance to the Inferno itself. Had these toilers not enjoyed beautiful scenery while their stomachs clove to their ribs for lack of food?

Probably if Mephistopheles had presided over the treasure they would still have come with dumb yearning for something better than the vain tilling of exhausted soil. So they journeyed westward from impoverished Ireland, Cornwall, Italy, Russia, Finland and even Syria. And later the despised "bohunks," or Montenegrans, who crowd together in miserable hordes, live in squalor and are shunned by their fellow workers.

Could the Latin have read his Dante he might have seen in the barren, smoke-stained approach to the new land, with its wilderness of grotesque rocks, and occasionally a dead, misshapen tree, twisted as though it had struggled before it died, a striking resemblance to the country described in the opening lines of the "Inferno," and if, perchance, a lean, gray coyote had slunk past to complete the simile, he would have involuntarily looked for the shade of Virgil. But no such classical meditations fired the laborers' fancy. They came and toiled and sweated, and their dreams of prosperity became reality. With the instinct of the clan and the blood-tie, these children of many lands clung together so far as places of dwelling and habit were concerned, but more broadly and more strongly, by virtue of the greater tie of common interest and common reward for common toil, they knit themselves into the democratic body politic of the Miners' Union, with the motto, "In Union There Is Strength." And here, be it said to the credit of these men, that from the inception of the union in that far-away beginning, when the rugged pioneers pointed the way, to the present day, when its membership numbers over four thousand in good standing and entitled to the sick benefits, through debauched political conditions, shameful contests for possession and outrageous labor agitation, the Miners' Union has remained true to its principles of fairness and integrity. At all times it has been reasonable in its demands, conservative and consistent in its policy, and it has ever been a factor in good government, law and order, the preservation of harmony between laborer and employer, and a promoter of the great industry of which it

is a vital part. The union demands and receives for all miners a minimum wage of \$3.50 per shift of eight hours; to members in good standing who are disabled it allows \$10 per week for ten weeks, and it gives to its dead decent burial. The union fund is kept up by a monthly assessment of \$1 for each man enrolled upon its books. Nor is its charity purely for its own members. No miner's widow is left penniless, that it does not call for voluntary contributions from each man, and no worthy cause, be it local or otherwise, is left unaided by these Sons of Toil, who win their hard-earned bread far from the common heritage of God's sunshine and pure air, amid constant danger, by the might of brawn and the ordained baptism of honest sweat.

Such was the Miners' Union and its policy when the inevitable came to pass and the lesser was absorbed by the greater corporation.

Meantime, there had been much conflicting opinion as to the depth of the mineral deposits upon which the future of Butte depended. Many said the veins would "pinch out," and with decreasing values and increasing expenses wages would be reduced, and so would end the short-lived glory of "the greatest camp on earth." The consensus of opinion, scientific and otherwise, however it might differ as to the depth of the copper deposit, agreed pretty generally that the hill itself was the sole repository of the treasure; that volcanic upheaval had cut off the veins to the west, where the cone of the Big Butte had once belched forth the anger of volcanic fires. It was asserted with almost equal assurance that the "flat," spreading to the southward, was sterile. About 1903, a certain depression stimulated the belief that the old fear was a reality and the great veins were gradually diminishing in richness. Almost simultaneously a temporary shut-down of the mines involved in the litigation referred to above, caused numbers of men to be thrown out of work. The pessimists were assured that the beginning of the end had come, and in the threatened panic some stampeded so far as to leave outright. An exodus of the faint-hearted is always to be



welcomed, according to the laws of the survival of the fittest, and if any harm were done by the small scattering it was but transitory.

Not many months went by before it transpired very gradually, as rumor does, that the secondary zone of enrichment had been reached; that the veins had widened and richened past all previous experience, and that enough ore was in sight to keep the mines going for fifty years. The closed properties opened again; men went back to work with a good will, and to the astonishment and even amusement of some people, Pittsburg capital bought up a large tract of land on the "flat," and sank for copper. A dark, slate-colored fence enclosed the property, which was given the name of Pittsmont, the first syllables of Pittsburg and Montana, combined; and preserving strict secrecy, the new company built an enormous plant for the testing of an original process of smelting. The presence of a rich Eastern concern spending a fortune on the hitherto undeveloped "flat" was an impetus to others. It was considered as daring and radical a step in copper mining as in its day had been the sinking of the Anaconda shaft on the Anaconda Hill. The price of copper, too, rose to unprecedented figures. "Gophering" began, little greenish-white dumps, like anthills, speckled the dun level, bold ribs of shaft houses arose, and there was general upheaval in quest of the precious metal.

In 1904 the North Butte Copper Company, but recently organized, purchased a controlling interest in the Speculator mine for \$5,000,000, and added to the extent of its holdings by securing a number of adjoining claims. Development opened up rich and extensive copper deposits. This caused the formation in 1905 of the East Butte Copper Company.

Various other companies began operations to the east on the upward slope of the Continental Divide, and in nearly every instance where sufficient depth was attained, copper was found, thus proving that the veins extended eastward far beyond the limits of the supposed copper zone.

The discovery of a tremendous vein by the Pittsmont Company, afterwards absorbed by

the East Butte Copper Mining Company, established beyond question the existence of vast copper deposits in the "flat."

The success of this property is due in a great measure to the genius of Mr. Oscar Rohn, its superintendent. It has one of the most complete surface plants in the Butte district. There are two shafts, one of which is sunk to a depth of 1,200 feet. These shafts are connected by a 2,000-foot crosscut.

The Amalgamated Company has steadily developed its many properties and added to them by the purchase of additional valuable mines. In 1910 this corporation secured all of the important holdings of W. A. Clark, save the Black Rock, which was acquired by the Butte and Superior Company, and the Elm Orlu, which he still owns.

Other copper companies operating in Butte are the Reins Copper Company, the Butte-Superior Company, the Alice Company, the Ophir Mine, the Butte-Bacon Mining Company, the Belinda, Calumet and Hecla, and Colleen Bawn mines, the Reliance Mine, the Butte-Milwaukee Mining Company, the Butte and the Butte Hill Copper Company, the Eagle Mining Company, the Butte Summit Valley Company, the Tuolumne, the Ida-Montana, the Davis-Daly and Estates Copper Mining Company, the Butte and London Copper Company, the Butte Exploration Company, the Bullwhacker, La France Company, the Butte Company, the Butte-Amazon Copper Company, the Butte-Michigan Mining Company, the Butte-Duluth, and others.

#### MINING AND TREATMENT OF OXIDIZED ORES

A new and important phase of copper mining in Butte is the treatment of oxidized ores. A contemporary authority gives the following statement:

"The development of oxidized copper ores close to the surface in the foothills in the vicinity of Columbia Gardens has been one of the most important incidents in the mining industry of Butte during the year. The initiative in this direction was taken by the Bullwhacker Mining Company several months ago,

when 'glory hole' mining was commenced, disclosing a body of ore which has been proved for a width of 200 feet, 600 feet in length and to a depth of approximately 200 feet, measuring up close to 1,000,000 tons of ore. The ore contains nothing but copper and runs on an average of  $4\frac{1}{2}$  per cent. The ore occurs in silicated form, together with some carbonates.

"Realizing the enormous possibilities of mining the oxidized ore lying close to the surface in the vicinity of Columbia Gardens, Captain A. B. Wolvin several months ago acquired possession by purchase of what is known as the Brundy claims, covering an area of about 70 acres. Numerous pits were sunk on the side hills and every one of them proved the existence of silicated ore, the values running from  $1\frac{1}{2}$  to 5 per cent. There are no other values except copper, and hence the treatment and recovery is comparatively simple and cheap.

"When Captain Wolvin first took over the property, consisting of the Montgomery, Macaroni and portions of the Altoona, Amazon and Colleen Bawn claims, he organized the Butte-Duluth Mining Company, with a view to developing the property at that depth. Aside from a few shares, the stock is held exclusively by Captain Wolvin and the enterprise is his own.

"When the property was first taken over it was the intention to sink the Montgomery shaft, which had a depth of about 200 feet, to a depth of at least 1,000 feet, in order to develop the eastern extension of the East Butte veins, which have proved rich on the 800, 1,000 and 1,200 foot levels. That these veins extend through the Wolvin property there does not seem to be a doubt, but the discovery of such an enormous zone of silicated ore close to the surface has temporarily deflected the attention from the matter of deep sinking for a time, although deep exploration will be prosecuted in the near future to develop the sulphide ores. A surface plant has been installed on the Montgomery claim, to be operated by electricity, sufficient to sink to a depth of 1,500 feet.

"The oxidized ore zone in the Wolvin prop-

erty has a proved width of from 225 to 250 feet on an average, and in some places is nearly twice that width. Its length is yet unknown, but will be determined with further development on the strike. It is estimated that it has a depth of at least 200 feet. In addition to the proved zone the mineralized band has been found to extend to the south, showing a much wider ore body and running parallel. From present developments it is estimated that there are several million tons of ore in sight.

"Preparations are well under way for extensive development of this enormous ore body. The hill is being terraced for steam shovel operations. The overburden has been found to be slight, in many places not being more than one or two feet, and in scores of places the mineralized rock is exposed on the surface. Lines have been run for drilling and springing the rock so that it may easily be handled by the steam shovel. \* \* \*

"While a heavy tonnage of high grade ore has been developed and is now being shipped direct to the smelters, the lower grade ore will be treated by the leaching process. The buildings for this process have recently been completed. The first unit will handle 100 tons of ore a day, but the capacity will be increased, as soon as the first unit is in successful operation, to 500 tons a day.

"The ore will be carried in mine cars from the steam shovels to the leaching plant, located on the west slope of the hill, and will pass automatically and by gravity through the various processes. It will be crushed to one inch, after which it will pass to the leaching tanks, containing a solution of sulphuric acid. The filtered solution, carrying copper, will be passed to the electrolytic plant, where the metal will be recovered from the solution by cathodes. The cathodes of commercially pure copper will weigh about 50 pounds each when shipped.

"The tailing or residue from the leaching tanks will be stacked on the side hill, which will be floored and asphalted. Exposed to the rains and elements the tailings will be thoroughly leached and the solution, containing considerable sulphuric acid and some copper,

will be returned to the leaching tanks for further use in the leaching process. \* \* \*

"In addition to the Brundy property, Captain Wolvin has secured a number of claims, aggregating about 200 acres, immediately north of the Butte-Milwaukee ground, under control of the Butte and Superior Company. A force of about thirty men is now engaged in tracing the veins on the surface. One of the largest fissure veins in the camp has been proved on the surface and has been traced for more than a mile. Developments in this property promise to be sensational. It is proposed to extend the crosscut from the Black Rock shaft through the property, intersecting the veins at a depth of more than 1,300 feet.

"It has been determined that the most favorable and most profitable manner of treating the ore is by the leaching process, in which sulphuric acid is the prime recovering agent. Experiments along this line have been conducted for a long time, by Patrick Clark, president of the Bullwhacker Company, and the process has been perfected, with the result that a 50-ton plant has been constructed at the Bullwhacker mine. The plant is now in operation under the direction of M. F. Webster, who conducted the experiments and superintended the building of the plant. It is estimated that the cost of recovering the copper from the ore will not exceed 15 cents a ton.

"The plant is to be so constructed that it readily can be enlarged to treat a heavier tonnage, and it is contemplated to increase the capacity to at least 300 tons a day in the near future. At the present time the ore is being mined only to a depth of about 65 feet and the output is about 70 tons a day. This tonnage can be increased as the requirements of the leaching plant may demand.

"The ore is brought to the surface through an inclined shaft, and is at once carried by tramway to the storage bins in the leaching plant, from which it is fed to crushers, reducing it to 10-mesh. From the crushers it is conveyed automatically to the rolls and from the rolls to the trommels for sizing. From the trommels the ore passes to the agitating tanks

containing a solution of sulphuric acid. The filtered solution carrying the copper is carried to the electric deposition tanks, in which are placed the anodes and cathodes, and the product finally is electrolytic copper, commercially fine. The metal is shipped in 50-pound cathodes.

"The pulp from which the copper impregnated solution is filtered after being removed from the tanks, is washed and the solution is again used in the leaching tanks, thus affording a material saving."

#### ZINC MINING

We now come to the fourth and last phase in the development of Butte,—the zinc epoch. The Butte-Superior Company, organized as a copper concern, was the pioneer in this practically undeveloped field. The Elm Orlu, owned by W. A. Clark, also revealed zinc deposits as its shaft attained greater depth.

We shall consider these properties somewhat in detail, as they represent an important industry and a source of immense revenue and future wealth.

#### BUTTE AND SUPERIOR COPPER COMPANY, LIMITED

"The Butte and Superior Copper Company, Limited, was organized in the year of 1906 and began development operations in 1907. The basis of the organization was a group of claims embracing about 89 acres in the northerly portion of the Butte district, including the 'Black Rock' and contiguous claims, from which considerable quantities of comparatively high grade ore lying near the surface had been mined in the early history of the district. It was supposed that these enrichments in the shallower portions of the veins indicated underlying copper deposits similar to others of this region. A comprehensive plan of development was laid out, including the sinking of the deep shaft which is now known as the 'Black Rock' shaft. The early workings on the Black Rock vein had only extended to a few hundred feet below the surface. The



main shaft was sunk to a depth of 800 feet before any substantial amount of lateral development was undertaken. It was then discovered that instead of the upper deposits of silver ore being underlaid by copper-bearing ores, as had been presumed, the principal value of the veins under development lay in the zinc contents. During the years 1910 and 1911 the Black Rock shaft was continued to a depth of 1,600 feet and the principal vein developed to a greater or less extent at 200-foot intervals from the 800 to the 1,600 foot levels. No metallurgical investigations were undertaken until the year 1910, at which time a lease was acquired on a milling plant at Basin, Montana, about 25 miles distant from Butte. Thereafter until about the end of 1911 this mill was operated irregularly on ores taken largely from development, and partially from mining operation. The mill was ill adapted to the treatment of these ores, but was modified from time to time to better meet the requirements, and through the operation of it some indications were obtained as to the design and methods of operation required for a permanent plant, which it was decided in the year of 1911 to locate at the mine. During the early history of the company's operation its ownership and the direction of its affairs were largely controlled by an association of interests having headquarters at Duluth, Minnesota. It had become apparent that the company's financial and operating necessities warranted a more comprehensive and broader plan than was contemplated by the original promoters and owners, and upon a realization of this situation, late in the year 1911, those at the time in charge of the company's affairs sought the co-operation of stronger financial interests, and Messrs. Hayden, Stone & Company of Boston and New York were invited to purchase the balance of an issue of convertible bonds which had theretofore been offered pro rata to shareholders, but not subscribed for by them.

"The results of further development of the company's properties disclosed the presence of ore bodies requiring a much more extensive equipment than was previously planned and

the advisability of acquiring some additional territory. To meet these requirements there were made two offerings of stock during 1912, one in April of 30,000 shares which was underwritten at \$27.50 per share and one of 30,125 shares in September which was underwritten at \$37.50 per share, making the total outstanding shares on December 31, 1912, 271,135 shares. This financing has permitted the company to develop its property, complete the mill, commensurate with the extent of such development and to in a large measure acquire the desirable adjoining territory. Construction work on the plant began in the autumn of 1911 and a portion of it was ready for operation about the middle of the year 1912. As has been previously said, the facilities at the Basin plant for determining the most economical and profitable methods of treatment were meagre and it was understood that the early operations of the new plant must necessarily be of a more or less experimental nature. One-half of the new mill was put in operation when ready, and as had been expected, it was found necessary to modify many of its features, both as to arrangement and operating methods. This necessary experimental work and alteration of design occupied most of the period from the time of starting the new mill in June until the end of the year 1912, at which time one-half of the new plant had demonstrated such satisfactory characteristics as to warrant the modification of the entire plant along lines that promised permanently satisfactory results. At the end of the year this one section of the plant had been only partially completed along permanent lines such as to provide a capacity of about 600 tons per day. The work of readjustment is being continued and it is expected that the entire plant will be finished in a few weeks from the date of this report when it will have a most efficient capacity of about 1,000 tons per day and an economical capacity of approximately 1,200 tons per day.

"The original property of the Butte and Superior Company constituted as has been stated approximately 89 acres of ground, consisting of 15 claims and fractions of claims. A

addition to this the company has acquired a majority ownership in the stock of the Butte-New York Copper Company, which controls the Butte-Milwaukee Copper Company through a majority ownership of stock, the Butte-Milwaukee Copper Company, owning about 51 acres of ground, and has also acquired a majority ownership in the stock of the North Butte Extension Development Company, owning about 41 acres of ground. During the year 1912 options were acquired and various interests purchased in an extensive area of surrounding and adjoining claims. Some of these options have been surrendered as not immediately desirable. The total area owned and controlled and in which the company has or will acquire interests through options retained, is about 245 acres.

"The principal developments including the deep shaft are located on the Black Rock claim. The vein or veins developed by these workings are typical of the Butte district, the principal work being done on what is known as the 'Black Rock' and 'Jersey Blue' veins, although in the immediate vicinity of the Black Rock shaft the ore deposits are influenced by an intersection or consolidation of other veins belonging to the well known 'Rain Bow' Lode system. Little development work has been done on the Black Rock shaft above the 1,000 foot level. Stations have been established and a small amount of work done on the 800 and 900 foot levels. The 1,000, 1,200, 1,300 and 1,400 foot levels have been developed for practically the entire length of the Black Rock claim disclosing an ore body substantially continuous and of very uniform grade for the full length of the claim and varying in width from a few feet to over 100 feet. No work has been done on the 1,500 foot level and the 1,600 foot level has been opened up to an extent little more than sufficient to accommodate a pumping station and other necessary facilities at the bottom of the shaft. The total amount of ore blocked out and ready for mining is approximately 1,200,000 tons, averaging 21.7% zinc and 7.9 ounces of silver. Practically all of this tonnage is de-

veloped from the 1,000 to the 1,400 foot level, the 800, 900 and 1,600 foot levels being credited with only such amounts as are actually disclosed by the limited developments at those places. The amount of ore actually blocked out for mining, together with that indicated by the limited developments on the upper and lower levels is sufficient to supply the new milling facilities at full capacity for not less than six years, and such being the case, active blocking out of ore reserves has been suspended except to such extent as is necessary to maintain substantially the present status of future ore supply. The headings of all levels, both easterly and westerly in the Black Rock claim and beyond its limits at both ends are still in ore, and there is every evidence of great life for the property from the Black Rock claim and those immediately end lining it, to say nothing of the promising developments on adjoining claims and properties that are either owned or controlled by the company. During the year 1912 the Colonel Sellers shaft on the Butte-Milwaukee property was extended to a depth corresponding to the 1,200 foot level of the Black Rock shaft and a cross-cut driven connecting these shafts. Veins encountered and partially developed by this work and other development work in adjoining claims give promise of valuable additional ore bodies.

"The mill is designed in two sections, each being independently operated by electric power and having a maximum capacity each of about 600 tons per day, or a total capacity for the mill of about 1,200 tons per day. The rock breakers are located at the shaft, the ore being discharged automatically to them by the skips from the mine. A belt conveyor transports the coarsely crushed ore to a coarse crushing plant which reduces it to approximately  $\frac{3}{4}$ -inch size and from this department it is again conveyed to storage bins over the fine crushing department of the mill. The crushing and grinding machinery of the concentrator consist of rolls, tube mills and pebble mills. The concentrating facilities for the recovery of the coarser minerals consist of concentrating tables, classifiers and jigs and

from these are produced from one-third to one-half of the total values recovered. The tailings resultant from the ordinary methods of wet concentration are reground and treated by so-called 'flotation' methods. At the time of writing this report the flotation plant has not been completed to a capacity commensurate with that of the other portions of the mill, and it is accordingly impossible to economically handle all of the finer products. When operating at a capacity proportionate to the existing facilities, recoveries of above 80% are made regularly, and under favorable conditions recoveries of 90% of the zinc contents are readily obtained. Sufficiently comprehensive and continuous results have been obtained to warrant the assurance that when the remodeling of the mill is completed and its various departments balanced, the regular recoveries on a normal grade of ore and at full mill capacity will approximate 90% with the probability that they may reach or even exceed that figure. The products derived from the concentration of these ores contain a percentage of zinc high as compared to those of other similar enterprises, a high value in silver and a low percentage of iron, thus constituting an unusually desirable and profitable product for this class of material.

"Notwithstanding the intermittent character of operations and the extraordinary expenses incident to the period of construction and experimental work, the company's operations have resulted profitably both in connection with the new plant, and when ores were being concentrated at the old Basin mill. After construction work is completed on the new mill and operations established on a full capacity basis all costs will be greatly reduced. The ore bodies are of a size and character to permit of cheap mining as compared to other deposits in the Butte district. The determination and application of the most suitable and economical metallurgical appliances and methods have required a vast amount of experiment and an unexpected length of time, although it was realized that the development of satisfactory metallurgical methods as applicable to

this practically new situation in the zinc producing industry, would require extensive investigation before entirely satisfactory results could be achieved. However, all problems have been solved so far as basic principles and permanent operating methods are concerned, and there only remains the work and time required to complete the entire mill along those lines on which a portion of it is in perfectly satisfactory operation and to bring the mine and plant up to the full capacity for which equipment has been provided. This will be accomplished before the middle of the year 1913, and after that time cost of production and profits will unquestionably fulfill every expectation."

#### ELM ORLU MINE AND CONCENTRATOR

"In the Elm Orlu mine, owned and operated by the Elm Orlu Mining Company, extensive ore bodies have been blocked out between the 700 and 1,500 foot levels, the zinc values averaging about 20 per cent. It is estimated that there is sufficient tonnage blocked out to keep the new concentrator busy at the rate of from 350 to 400 tons a day for several years. The veins show enormous width in places and the ore bodies, which are similar to those of the Butte & Superior property and in the western extension of the same veins, are in some portions several sets in width. While the average of the ore is 20 per cent zinc, there are numerous places where the values run as high as 35 per cent.

"The Elm Orlu is both a zinc and copper mine, and while, as a rule, the zinc and copper occur in separate and distinct lenses, lying alongside of each other, it sometimes occurs in segregated bunches or shoots, alternately copper and zinc. Where the copper predominates, however, the percentage of zinc is small.

"Owing to the destruction by fire of the Butte Reduction Works it became necessary to erect a new plant to treat the ores of the Elm Orlu. Timber Butte was the site chosen.

"Incident to the building and operating of a



concentrator on Timber Butte it became necessary to build a railroad, a distance of about two miles, from the Milwaukee and Northern Pacific tracks in the extreme southern portion of the city. This road has been completed under the direction of Arthur Maguire, assistant chief engineer of the Salt Lake, Los Angeles & San Pedro Railroad, and it has a 3.87 per cent grade from the foot of Montana street to the mill. The ore cars will be hauled by electric motors weighing 40 tons each and generating 400-horse power. These electric engines will haul a load of 150 tons up the steep grade.

"After having tested the Elm Orlu ores for the purpose of determining the most satisfactory method of recovering the values, plans and specifications were prepared for the construction and equipment of a concentrator. Construction was commenced in the fall of 1912. The initial capacity of the plant will be about 350 tons a day, but it will be so constructed that units may be added and the capacity increased as mine conditions may demand.

"The process will be wet concentration, final recovery from the slimes being accomplished by the Hyde flotation process, which has been proved highly successful.

"The ore will be received at the bins located at the lower end of the mill, where they will be fed to the coarse crushers. From the coarse crushers the ore will be elevated to the upper portion of the plant, where, from storage bins, it will be fed to the secondary crushers and thence through the various processes of classification and concentration, coming out at the lower portion of the mill in the form of concentrates to be shipped to the smelters. It is expected that a high recovery will be made.

"One of the most serious problems which has been confronted has been that of an adequate water supply for the concentrator. Various methods of securing water were considered and it was finally decided to obtain it from the maintenance of wells to be sunk on the Hamilton ranch, south of the city, owned

by the Colusa-Parrot Mining and Smelting Company.

"The work of developing water on the flat was commenced early last spring. Eleven wells were driven to depths varying from 40 to 75 feet, eight-inch pipe being used for casings. Some of the wells developed a continuous flow of water and there is little question that they will furnish an adequate supply for the concentrator.

"E. O. Meinzer, a government expert on underground water supplies, recently made an investigation of the water possibilities of the flat and concurred in the opinion of Senator Clark that, with the proper development by means of wells, there need be no fear of a permanent supply.

"The wells which thus far have been sunk have been coupled together and under continuous pumping for a period of one month yielded eight hundred gallons of water per minute. The flow has kept up well and there has been no forcing. An electrically driven pump will be installed at the wells and the water will be pumped to the concentrator through a twelve-inch pipe. The pipe line will be about two miles in length.

"For the past 15 months, or since the destruction of the zinc concentrator at the Butte Reduction Works, the production at the Elm Orlu mine has been confined to copper, and between three and four cars a day have been shipped to the Washoe smelter. The copper ore generally is of high grade.

"The Elm Orlu shaft is of three compartments to the 1,500 foot level, with stations on the 500 and 700 and on every one hundred feet to the deepest level. The mine has been opened up on nearly every level and enormous stopping ground has been afforded.

"The Poser claim has been explored from the Elm Orlu on the 1,000 and 1,500 foot levels, developing an excellent grade of copper ore in several places. A crosscut has been extended to intersect the Gem vein, which, farther west, is being developed and mined by the North Butte Mining Company. The vein shows an average width of seven feet

between walls and carries a strong copper lead. It is believed that it will develop into an important producer of copper.

"Reinforced concrete ore bins, with capacity for holding 1,200 tons, have been built at the Elm Orlu mine during the past few months. These are the first concrete ore bins to be built in the United States and are far superior to either steel or timber, which have been the principal materials heretofore used in the construction of ore bins.

"A new steel gallow's frame has been built over the shaft, provided for the use of skips in the hoisting of ore, and the ore is dumped automatically into the bins.

"On the one thousand foot station an Aldrich five-plunger electric pump has been installed and is lifting the mine water to the surface. A new electrically driven air compressor, furnishing compressed air for the operation of 24 drills, has been installed on the surface and other necessary machinery has been provided, making the plant one of the most modern and up to date in the district. A new spur has been built from the Butte, Anaconda & Pacific high line, running directly alongside the new ore bins."

The production of the Butte district is immense. The following summary is from "Geology and Ore Deposits of the Butte District, Montana," by Walter Harvey Weed.

"The enormous value of its metallic product makes the Butte district the most important mining center in the United States and the second greatest in the world. Its annual production is exceeded in value only by that of the Rand, in South Africa, which was \$101,000,000 in 1905 against about \$65,000,000 for Butte. Up to the close of 1906 the total product of the Butte district may be roughly estimated at \$650,000,000, which is considerably in excess of that of Leadville and probably about that of the Comstock lode.

"It is not possible to obtain strictly accurate data concerning the early production of the district, for in the pioneer days no records were made and in later years some of

the larger companies, for business reasons, have not been willing to disclose their exact output. The statistics presented in various publications, however, show that up to January 1, 1906, 971,000 ounces of gold, 194,000,000 ounces of silver, and 3,961,000,000 pounds of copper were mined in the district. The placer gold production of the district has been comparatively unimportant, being not only small in amount but also low in bullion value, on account of the large alloy of silver. At present gold forms about 3 per cent of the total value.

"Silver in the district is now mainly a by-product of copper mining, the copper ores containing about one-fourth ounce of silver to 20 pounds of copper, or, in value, about 14 per cent of silver to 86 per cent of copper.

"The annual copper product in 1906 was about 283,000,000 pounds, constituting the predominant value in the yield of the district. Its increase, both absolute and relative, in the last decade has been great.

"In 1888 nearly 41 per cent of the total copper product of the world came from North America and over 92 per cent of this was furnished by the United States. In 1895 the North American proportion of the world's product was 56½ per cent and in 1905 it had increased to 69 per cent.

"Previous to 1880 the Lake Superior region produced, on the average, more than 80 per cent of the total copper product of the United States. In 1883 Lake Superior's proportion of this total product was 51.6 per cent, Butte's was 21.4 per cent, and Arizona's was 20 per cent. In 1887 Butte passed Lake Superior, and in 1905 the relative percentages were: Montana (Butte), 31.2 per cent; Arizona, 28.9 per cent; Lake Superior, 25.3 per cent. In 1906 Butte was furnishing about 20.6 per cent of the copper product of the world, more than three-fourths of which was from mines controlled by the Amalgamated Copper Co. In 1907 Montana produced 25.81 per cent of the total copper output of the United States, or 13.8 per cent of that of the world.

"In early years the statistics of the Butte

copper production were not carefully kept. The first definite statement is by the Director of the Mint in his report for 1880, in which he credits the district with a production of 9,452,800 pounds of copper. In succeeding years the production increased rapidly. The total output from 1880 to the end of 1905 is estimated at 38,000,000 tons of ore, which yielded 3,960,964,935 pounds of copper. At the average price prevailing during the year of its production, this copper was worth \$498,493,035. If to this sum be added the value of the gold and silver produced from the copper ores mined in the district the total value will approximate \$600,000,000.

"The following table was prepared by Mr. Emmons from many sources, including company records, reports on the mineral resources west of the Rocky Mountains, records of the division of mineral resources of the United States Geological Survey, and reports on the production of precious metals by the Director of the Mint:

PRODUCTION OF THE BUTTE DISTRICT, BY  
YEARS, FROM 1882 TO 1910.

YEAR.	GOLD.b Ounces	SILVER.b Ounces	COPPER.c Pounds
1882.....	12,094	2,699,296	9,058,284
1883.....	14,561	3,480,547	24,664,346
1884.....	21,776	4,481,180	43,093,054
1885.....	13,838	5,180,331	67,797,864
1886.....	31,223	5,924,315	57,611,621
1887.....	48,175	6,958,981	78,699,677
1888.....	44,320	8,275,956	97,897,968
1889.....	31,652	6,560,038	98,222,444
1890.....	25,705	7,500,000	112,980,896
1891.....	29,395	7,985,090	112,063,320
1892.....	36,223	8,311,130	163,206,128
1893.....	33,808	6,668,730	155,209,133
1894.....	36,768	7,561,124	183,072,756
1895.....	41,433	10,051,760	190,172,150
1896.....	59,816	11,120,732	221,918,179
1897.....	54,198	10,710,815	230,288,141
1898.....	55,344	8,996,555	206,173,157

1899.....	62,038	9,855,831	225,126,855
1900.....	54,552	9,454,279	270,738,489
1901.....	45,850	10,136,892	229,870,415
1902.....	46,051	10,106,884	288,903,820
1903.....	48,800	9,811,544	272,555,854
1904.....	46,974	10,530,582	290,032,979
1905.....	61,251	11,191,016	304,307,893
1906.....	60,495	10,715,721	289,780,050
1907.....	34,368	7,516,659	218,836,627
1908.....	32,005	8,500,729	250,150,712
1909.....	39,443	10,609,328	311,323,650
1910.....	37,014	10,400,840	284,264,862
1911.....	36,000	10,000,000	271,814,491
1912.....	39,000	10,600,000	308,770,826

Total.	2,234,170	261,896,885	5,868,706,641
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"The table shows the total production of gold and silver from the Butte district for the years given, but does not give the silver produced from the silver-bearing veins as distinguished from the copper-bearing veins. The silver mines proper yielded much gold and silver from 1888 to 1893, and have continued to yield lesser amounts up to the present time, but there is no way of differentiating this product.

"The Anaconda, the largest of the copper-producing companies, produced from June 30, 1884, to June 30, 1898, a period of fourteen years, 9,575,793 tons of ore, which yielded 1,068,922,000 pounds of copper. This is equivalent to 5½ per cent copper, 4½ ounces silver, and 35 cents gold per ton of ore. This output covers the period during which the bonanza ore bodies of the Anaconda were mined, and very large amounts of extremely high grade ore were extracted.

"In the following table the Butte production from 1881 to 1897 is separated according to companies, and their relative importance is readily seen.



PRODUCTION OF COPPER IN THE BUTTE DISTRICT, BY MINING AND SMELTING COMPANIES,  
FROM 1881 TO 1897.

(In pounds).

Year.	Anaconda	Boston and Montana	Butte and Boston (now part of B. & M.)	Butte Reduction Works (W. A. Clark)	Colorado Mining and Smelting Co. (Trenton Copper Co.)	Parrot	Montana Ore Purchasing Co. (Butte Coalition.)
1881. . . . .	33,300,000 <sup>a</sup>						
1882. . . . .							
1883. . . . .							
1884. . . . .	3,886,000						
1885. . . . .	40,462,000	7,500,000		2,500,000	1,200,000	9,809,000	
1886. . . . .	32,858,000	2,000,000		1,935,846	2,000,000	10,000,000	
1887. . . . .	59,242,000	1,500,000		1,649,308	1,411,000	10,000,000	
1888. . . . .	67,106,000	18,278,667		3,549,165	1,440,600	10,750,000	
1889. . . . .	61,810,000	26,425,228	1,103,125	2,499,648	1,744,400	9,500,000	
1890. . . . .	67,676,000	26,942,298	5,485,434	3,332,934	2,252,200	9,000,000	
1893. . . . .	48,098,000	26,567,929	18,392,054	2,912,274	3,365,200	14,108,382	
1891. . . . .	93,918,000	30,386,595	10,641,269	2,850,227	4,076,800	12,438,782	
1891. . . . .	81,446,000	31,800,000	20,457,928	3,078,337	6,809,000	7,791,167	8,400,000
1894. . . . .	98,680,000	57,937,633		2,281,993	4,210,198	7,469,908	12,293,686
1895. . . . .	103,442,000	60,746,000		3,393,920	8,004,848	7,257,000	14,861,000
1896. . . . .	119,700,000	60,250,000	4,500,000	4,237,660	9,267,496	8,045,648	14,230,000
1897. . . . .	128,391,100	59,600,000		8,645,782	8,911,578	14,997,000	13,047,048

PRODUCTION OF BUTTE MINES IN MAY AND JUNE, 1907.

Companies	Daily production			Production for May		Production for June	
	Ore	Copper	Total	Ore	Copper	Ore	Copper
	Tons.	per ton Pounds.	Pounds.	Tons.	Pounds.	Tons.	Pounds.
Boston & Montana. . . . .	3,500	67	234,500	108,500	7,269,500	100,500	6,834,000
Anaconda. . . . .	4,250	61	259,250	131,750	8,036,750	123,000	7,380,000
Butte & Boston. . . . .	600	60	36,000	18,600	1,116,000	19,500	1,209,000
Washoe. . . . .	400	59	23,600	12,400	731,600	10,650	628,350
Parrot. . . . .	350	58	20,300	10,850	629,300	11,250	630,000
Trenton. . . . .	380	60	22,800	111,780	706,800	12,000	708,000
North Butte. . . . .	1,300	92	119,600	40,300	3,707,600	37,500	3,003,500
Coalition. . . . .	1,550	65	100,750	48,050	3,123,250	45,000	2,970,000
Original. . . . .	950	62	58,900	29,450	1,825,900	24,000	1,488,000
East Butte. . . . .	200	80	16,000	6,200	496,000	6,750	526,500
Pittsburg & Montana. . . . .	225	70	15,750	6,975	488,250	7,500	525,000
La France. . . . .	200	68	13,600	6,200	421,600	3,000	225,000
Miscellaneous. . . . .	200	75	15,000	6,200	465,000		
Total. . . . .	14,105	66	936,050	437,255	29,017,550	400,650	26,161,350

"The above table, compiled from figures furnished by the Mining and Scientific Press, shows the relative importance of the different mines as producers and indicates plainly the low-grade character of the ore now being treated. The best ore is mined by the North Butte Co., which is extracting extremely high-grade glance and enargite ores from the Jessie and Edith May veins. The output of this company, 1,300 tons a day, averaging nearly 5 per cent in copper, approaches that of the Anaconda mine during its bonanza days. The lowest-grade ore, carrying only 3 per cent copper, comes from the Trenton Company's Gagnon mine, but the Anaconda ore contains only 1 pound more of copper per ton and carries lower silver values."

#### SMELTERS

The history of mining and smelting is so closely related that one cannot consider the one without the other. First came the discovery of the great ore bodies and almost immediately the problem of how to treat them presented itself to the owners. As we have seen only the richest ores yielded a profit after miles of pack-train, railway and not infrequently ocean transportation, for some of the products of our Butte mines were taken abroad for refinement.

We have already considered the first abortive attempts at smelting in Butte. As the output of the mines increased and new companies appeared in the field smelters of more modern equipment and greater capacity were demanded. Heinze had taken a lease on the concentrator of the Basin and Bay State Mining Company at Basin, 25 miles from Butte, his own mill having been destroyed by fire, and the concentrator was returned to the Montana Ore Purchasing Company's smelter in Butte. After his retirement from activity in this district the plant at Basin lay idle for years, then was used for a time by the Butte-Superior Company until its own mill was completed, when it fell into idleness again.

At the present there are in Montana two

great smelters for the treatment of copper ore; the Washoe smelter at Anaconda and the Great Falls Copper smelter built in 1892 by the Boston and Montana Silver and Copper Company.

Because of the inadequate water supply at Butte, Marcus Daly, representing the Anaconda Company, began the building of a new smelter, the Washoe, on Warm Springs Creek, a tributary of the Deer Lodge river, in 1883. The struggle for possession of this precious water-right caused the estrangement of Marcus Daly and W. A. Clark who afterwards became bitter political enemies.

The original smelter known as the Upper Works, situated on the north bank of the creek, was designed to treat five hundred tons of ore per day. The plant was equipped with concentrator, hand roasters and small reverberatory matte furnaces. In September, 1884, the smelter was ready to handle ore.

Two years later, in 1886, the works were rebuilt and steam stamp mills were substituted for crushers and rollers in the concentrator. Bruckner furnaces replaced the old hand roasters. The capacity was increased to one thousand tons a day.

Even with these more modern methods and the enlargement of the smelter it was unable to handle the ever-increasing output of the Butte mines. Therefore, a year later, in 1887, construction was begun on a second plant about one mile farther east, which became known as the Lower Works. Soon after the completion of the Lower Works, or in 1889, they burned, but were immediately rebuilt. They had a capacity of three thousand tons per day and at that time were considered the finest and most completely equipped copper smelter in the world. The combined capacity of the two plants was four thousand tons per day.

The first converter plant was installed in 1889 at the Upper Works. The second one at the Lower Works, was built in 1892. An experimental refining plant was constructed in 1888, and was enlarged in 1892. After 1903 this plant was not used.

After the formation of the Amalgamated Copper Company, in 1899, the management decided to enlarge the works at Anaconda and Great Falls, and thus provide for the reduction of the ores then being treated at several smelters in Butte, the Colorado, the Parrot and the Butte & Boston. Great advances had been made in the metallurgy of copper, and the works above mentioned, as well as the Anaconda smelter, were somewhat out of date. Rebuilding along modern lines at the site of the Anaconda works was not considered favorably, and, furthermore, this could not be done without interrupting production,—so it was decided to use the site acquired several years previously by Mr. Daly for the Washoe Copper Co., one of the subsidiaries of the Amalgamated. This site was on the opposite side of the Warm Springs valley from the old smelters. The work on this plant, under the supervision of F. Klepetko, was begun in 1900, and the first ores were unloaded there on January 23, 1902. In February work was begun in the concentrator. The smelter was originally designed to treat 4,800 tons of ore daily in the concentrator and 1,000 tons in the blast furnaces. However, even this great capacity was inadequate for the tremendous output of the mines. Enlargements and improvements were made from time to time until the present capacity of 12,000 tons of ore per day was reached, and as the enlargements progressed the smaller works in Butte mentioned above were closed down, the dates when operations ceased having been as follows:

The Parrot, in 1889; the Butte & Boston, in 1905; the Colorado, in 1905.

Soon after the new works started, the farmers in Deer Lodge valley complained of injuries to their lands and stock from smelter fumes and dust, and the company then remedied this trouble by building a chimney 300 feet high and 30 feet in diameter on the top of a hill back of the works, and constructed a flue system leading to this chimney, into which the fumes from all the smelter departments discharge. The main flue is 2,300 feet long,

the upper 1,000 feet of it being 120 feet and the lower part 60 feet in width. The top of the chimney is 725 feet above the furnaces, and nearly 1,000 feet above the valley. This improvement required an outlay of more than three-quarters of a million dollars, and it includes a plant for the recovery of arsenic. The construction of this flue system began in February, 1903, and was completed early in September.

The Washoe smelter is the largest copper smelter in existence. It turns out fifteen per cent of all the copper produced in the world, and from twenty to twenty-five per cent of the copper produced in the United States. Two thousand men find employment there and the monthly payroll is \$215,000.

#### GREAT FALLS SMELTER

In 1886, Mr. Thomas Couch organized the Boston & Montana Consolidated Copper & Silver Mining Co., taking over the mining properties and smelter of the old Montana Copper Company, and including the Mountain View and other valuable claims in the eastern part of the Butte district. A little later he bought what was known as the Clark's Colusa smelter in Meaderville, and a small part of the Colusa vein which at that time belonged to W. A. Clark. The first smelting operations of the Boston & Montana Company were conducted at the two small plants just mentioned, but in 1889, C. O. Parsons was employed by the company to select a site for new reduction works. For the same reason which made it necessary for the Anaconda Company to build works outside of Butte, that is the lack of room and an inadequate supply of water, Mr. Parsons considered several locations, among them Great Falls, a point on the Oregon Shortline near Glen, between Melrose and Dillon, and a point in the Jefferson valley, but finally decided upon Great Falls as the best place for the erection of large works. The important reasons for this selection were the abundance of water power and a water supply for con-



centrating, and the proximity of coal fields, the Sand Coulee and Belt coal mines being only distant from Great Falls 16 to 25 miles. The management of the Great Northern Railroad, which controlled the water power at Great Falls, offered special inducements in the line of very cheap power.

In 1890 the construction of the smelting works for the Boston & Montana Co. was started, and in March, 1892, the treatment of ore began at this plant. By the close of 1892 the works were prepared to take over the entire production of the Boston & Montana mines, and in December of that year the old plant of the Montana Copper Company, in Butte, was closed down, and in June, 1893, the Clark's Colusa works ceased operations.

In 1899 preparations were made to double the capacity of the plant, and this work was completed in 1900.

At the present time the work of rebuilding the smelter is in progress. The same reasons which called for a new smelter at Anaconda in 1900, that is the advances in the metallurgy of copper and the introduction of furnaces and converters of greatly increased size, made this reconstruction necessary, and an outlay of nearly \$2,500,000 will be required. The capacity of the plant, 3,500 tons per day, will not be increased, but some new kinds of furnaces will be installed.

The Great Falls plant includes an electrolytic refinery which has a capacity of five million pounds of refined copper per month; this metal being shipped to the market in the form of wire bar, cakes and ingots.

In June, 1909, a new flue system was completed, at a cost of more than a million dollars, and as this includes the highest and largest chimney in the world, it is worthy of mention. The chimney is 506 feet high and 50 feet in diameter at the top, and discharges the smelter fumes at an elevation of 740 feet above the furnaces. The flue system includes a large dust chamber, 176 feet wide, in which there are more than 1,200,000 steel wires, placed there for the purpose of arresting the dust.

The average number of men employed in the operation of the entire plant is about 1,000.

#### LEWIS AND CLARK COUNTY

Lewis and Clark county has been an important mining center since the discovery of Last Chance Gulch. The chief mining districts are Marysville, Rimini, Unionville, and Silver Creek. The city of Helena was built on the diggings at Last Chance, and Main street runs along the course of the old ravine. At the head of the gulch is the Whitlatch-Union mine, famous in its day. It was discovered and originally owned by James Whitlatch who became wealthy from its output and then sold it for a large sum to a company. This corporation took several millions in gold from the mine before the vein was lost.

At the present time there are in the immediate vicinity of Helena the Mark Hanna group of mines, the Piegan and Gloster group, recently acquired by the Barnes-King Gold Mining Company, the Caroline group, the Tave mine, etc. J. A. MacKnight in his "Mines of Montana," says:

"In every direction from Helena the adjoining ravines and gulches were found to produce placer gold. The diggings are now traceable on both sides of the Missouri river and extend for many miles up some of the canyons and along the bars. The famous Eldorado bar, where the sapphire mines are now being worked, was one of the famous diggings of comparatively early days. One of the most important of these diggings was Silver Creek, which was settled a few months prior to Last Chance. This creek is a few miles northwest of Helena and flows from the mountains in the neighborhood of Marysville and the great Drumlummon. The men who settled on the creek as early as May, 1864, were William Mayger and George Detweiler. \* \* \* Thomas Cruse, the discoverer of the Drumlummon, also worked in the placer mines before he went prospecting for quartz in that district."

A famous mine of the Marysville section

is the Drumlummon, discovered by Thomas Cruse. He had worked in the placer mines of the vicinity before he began prospecting for quartz. He came to the Silver Creek diggings in 1867. The following year he found quartz on the mountains and in the ravine, but not until 1876 did he discover the ledge of the Drumlummon at Marysville. The town was named for Mrs. Ralston and the mine for the parish of Drumlummon, Ireland, where Thomas Cruse was born.

This property was purchased from Mr. Cruse by the Montana Company in 1883, for £300,000 in cash and £200,000 in stock. After the first year's operations under the new management five stamps were added to the original five stamp mill which was in existence at the time of the purchase, a large air compressor was built and a tunnel was commenced for the purpose of striking the lode at a depth of 400 feet. During the following year the tunnel was finished and a fifty stamp mill was constructed. Later a sixty stamp mill was built. The works of the Drumlummon were considered at the time of their completion the finest in the state. The total engine capacity was 2,435 horse power, divided as follows: the fifty stamp mill, 500; the sixty stamp mill, 150; the compressors, 1,000; machine shop, 20; hoist 600 and pumping works, 150.

The report of the directors up to December 31, 1891, showed that the total amount of ore that had been treated was 494,638 tons, from which was extracted \$5,675,298 in gold and \$3,593,228 in silver, a total of \$9,268,526.

After this period of brilliant success the Drumlummon was abandoned for many years. Recently it has been overhauled and prepared for extensive operation. The sixty stamp mill is once more working but at the present time only the upper levels are being mined, the lower ones having been flooded.

The Bald Butte Mining Company which is composed of five claims, the Black Douglass, the Albion, the Genesee, the Sterling and Kenawa was one of the rich properties of the Marysville district. The Albion and the Genesee were located in 1878 by Chumasero,

Chadwick and Tatem. A fortune was taken from the five claims owned by the company before work ceased. They were left idle for years like most of the other mines of the vicinity. Operations have begun once more and the mine promises to enter into a new period of remunerative production.

The Bald Mountain group in the Marysville district are very rich. The State Mine Inspector says in his biennial report: "The Bald Mountain group of claims operated by the Cruse Mining Company, are producing thousands of dollars monthly. They were considered worthless until a certain amount of development had been done and the vein exposed which has proven the property to be in the million dollar class of mines."

In 1891 there were in active operation in and about Marysville the following well known quartz mines: the Old Penobscot and "Whipperwill," and the Blue Bird and Hickey.

At the present time the properties which are being mined in this district are the Annie Dillon, the Belmont, the Penobscot group, the Standard, the Honeycomb, and others.

The Rimini district is rich in gold. Among the important properties there are the Valley Forge and the Emma group.

The Jay Gould in the Gould district is a noted mine. The ore is free milling gold and is treated in a 20 stamp mill on the property. A cyanide plant has recently been installed. The Golconda mine is situated in the Gould district about half a mile from the Jay Gould.

Unionville, just south of Helena, has several mines, among which is the Mother Lode claim.

Skelly Gulch, 18 miles west of Helena contains the Annie Laurie and the Strawberry group of mines.

Other well known mines of Lewis and Clark county are the Johnney group, the Gold Leaf mine, the Gold Queen and the Buffalo mine.

#### BEAVERHEAD COUNTY

The most famous mine of this section is the Hecla, at Glendale, which for many years

was one of the great silver producers of the state. The original company organized to work this property was formed at Indianapolis, Indiana, in the year 1877. The manager was Henry Knippenberg, a man well known throughout Montana. The following account of the Hecla mine as it was in 1891-92 is from the pen of J. A. MacKnight:

"The first mine bought by the company was the Cleopatra, the same year of its organization, and it gradually bought up other claims till now it controls most of the good property in the district. It has paid dividends amounting to \$1,800,000 and its annual statement for 1891 shows that a dividend of \$15,000 was paid each month during the year. The same has been continued thus far during 1892, and the company is in a flourishing condition. While the product for last year was considerably lower than during several preceding years in some directions, they were greater in others. The lead bullion amounted to 4,030,947 pounds; the copper to 89,674 pounds; the silver to 485,209 ounces, and the gold to 666 ounces. The average cost of mining the ores has been about \$3.39 a ton, and the total number of tons mined since the opening of the property has been 260,601 tons. The properties owned by this company are the Atlantis, True Fissure, Sheep, Cleopatra, Ariadne, Cleve & Avon, Franklin, Trapper, Emma and Ram's Horn. The loss of the company for 1891 produced by the decline of silver, amounted to \$43,814.40. The mine and reduction works at Glendale are all in first-class condition, and in spite of the low price of silver the property will undoubtedly continue to pay well for many years to come."

The Hecla mine shared the sad fate of many other silver properties. For several years it was shut down and abandoned, save for a little unimportant work performed by leasers. However, recently it was acquired by the Longmaids of Helena, who are preparing to work it on an extensive scale. The new company is building an electric power line from the Big Hole Power Company. This will greatly facilitate mine operations, and

doubtless the old Hecla will once more take its place as one of the great silver mines of the state.

Other mines in Beaverhead county are the Watams, the New Departure and the Ingersoll. William Walsh, the State Mine Inspector, wrote in his Report for 1911-1912:

"The Mineral possibilities of this county are extensive in area. The mineral zones lying on the east and west of the Big Hole river are highly mineralized. A great deal of superficial development has been done, enough to demonstrate the fact that complete and deep development is fully warranted. The principal districts are the Wing, Bannack and Elkhorn, in all of which ore has been discovered in paying quantities."

#### BLAINE COUNTY

The Little Rockies are within the limits of Blaine county. This mineral zone has been mined for years past. However, recently new discoveries have been made and companies organized to develop the more important of them. The State Mine Inspector says: "The portion of the county embracing Peoples Creek and Landusky has been active during the year, several promising prospects having been opened up. The August group and the Alder Gulch groups are steady producers, both plants having been active during the year (1912.)"

The principal properties worked are the Shellrock group, the Fergus Mining Company mines (gold), the August Gold Mining Company's claims, the 96 Mine (gold), the Rawhide and the properties of the Ruby Gulch Mining Company.

#### DEER LODGE COUNTY

The mineral deposits of Deer Lodge County are extensive. An eminent authority predicts that this section "will become one of the greatest gold mining districts in the state." The chief mineral sections are the Cable, Southern Cross and Georgetown.

The Cable Mine, one of the old gold mines



of the state which has produced marvelous specimens, has given every indication of the permanency of its output.

The Southern Cross Mine, near Georgetown, has been acquired by the Anaconda Co. Extensive shipments of ore will be made upon the completion of the Georgetown branch of the Butte, Anaconda and Pacific Railway.

Other mines in active operation are: the Iron Mask, the Montana, the Venice, the Fotheringay, the Venezuela, the Minnaha, the Trilby, the Holdfast, the Baltic, the Duplex group, the Oro Fino, Hidden Lake and the Eagle. All of these are gold producing properties.

#### FLATHEAD COUNTY

The mineralized area of Flathead County is extensive, but as yet has been but slightly developed. The state mine inspector in his report dated, December 1, 1912, states:

"The mineral sections of the Flathead Reservation have a showing in gold and silver which are not excelled anywhere and the strong, persistent fissures discovered are promising copper bearing lodes, the formation showing well defined veins in granite formation."

Late in the spring of 1913 rumors of the discovery of marvelously rich silver and copper ledges on the tributary of the South Fork of the Flathead river caused much excitement. Little is yet known of these new properties.

Mines in active operation in Flathead county are the Oakdale, which produces copper, the Northern (gold and copper), the Leupfer (copper), and the Lippencott, also a copper mine.

#### FERGUS COUNTY

The mineral resources of Fergus county were not developed as early as those in some other parts of the state.

For many years the principal mine was the Spotted Horse near Maiden. In 1879 and 1880 placer mines were worked in Maiden Gulch and about the same time quartz leads were discovered. The Spotted Horse was a free milling gold property. It was owned by P. W. MacAdow and purchased from him by

Hansen, Holter and Down, in 1889. They failed to make a success of the property and MacAdow took it off their hands. The mine is now being worked and the ore bodies carry high values in gold. The New Year, the Maiden, the Cone Butte and Fork Creek districts have all been recently developed.

The Kendall mine in the North Moccasin mountains is operated successfully by the Kendall Gold Mining Co.

The Barnes-King group is one of the well known gold properties of the state. The holdings of the company consist of twenty claims near Kendall in the North Moccasin mountains. The San Diego mine has recently been acquired by this company and will be worked through the Barnes-King shaft. Other mines of Fergus county are the New Year, the Cumberland, the War Eagle (iron sulphide carrying lead; also silver and a small percentage of gold), the North Moccasin, the properties of the London Sapphire Co., and the American Sapphire Company, the McGinnis mine (gold), the Golden Eagle (gold), the Forge Creek group (gold) and the Gilt Eagle.

#### SWEET GRASS COUNTY

The following account of Sweet Grass county as a mining district is from the Report of the State Mine Inspector for 1911-1912:

"The mineral resources of Sweet Grass county are, as yet, undeveloped. However there has been sufficient prospecting done to demonstrate the fact that large mineral deposits exist in the mountains in both the northern and southern parts of the county. Many veins bearing silver, lead and gold have been found in the Crazy mountains, around the headwaters of Big Timber and Sweet Grass creeks, some thirty miles north of the town of Big Timber. Ore has been shipped from several of these prospects and it has been demonstrated that several good paying mines could be opened up in that locality were it not for the expense of getting the ore to the railroad and the high rates of transportation after reaching the same. The most extensive mineral belts, however, are found in the southern part of the

county. Going up Boulder river, which empties into the Yellowstone from the south, near the town of Big Timber, valuable coal deposits have been located some fifteen miles south of Big Timber. The Boulder river leaves the mountains about thirty miles south of Big Timber. At this point, known as the 'Contact District,' are found many veins of gold bearing quartz. Quite a little money has been expended and several very promising prospects are found in this vicinity. From Contact to Independence, a distance of about thirty-five miles, the whole country, which is very mountainous, is interlaced with mineral bearing veins, and prospect holes may be seen from any point along the road running up the Boulder, upon the dumps of which can be found ore containing precious metals of one or more kinds. Near Hicks Park, which is about twenty miles south of Contact, are found some very high grade copper leads, some ten or fifteen of which have been patented and are now lying there waiting for railroad transportation in order to successfully work and develop the same. At the head of the Boulder river is the old Independence Mining District, in which both placer and gold bearing quartz are found quite extensively. Here, again, the difficulties of transportation are the only drawbacks to the successful operation of the mines. From the headwaters of the Boulder it is only a short distance to the well known Cooke City Mining District, which is situated in Park county. Surveys made a few years ago have established the fact that the most feasible route for railroad into Cooke City is from Big Timber up the Boulder, the same being a water grade practically all the way. With a railroad running up the Boulder and into Cooke City, there can be no question but what one of the greatest districts in the state, extending from Contact to Cooke City, will soon be developed, and many new mines yet undiscovered will be opened up. Also on the headwaters of Deer Creek, running into the Yellowstone from the south are found many indications of copper, and marble quarries have been located and prospected in this vicinity. Most of the mines

that have been located and prospected to any extent are situated a long distance from the railroad, among high and precipitious mountains, making it very expensive and difficult to work the same until such time as electric or steam railways have made it possible to procure cheaper transportation. When that time comes, with numerous waterfalls in the Boulder river for electrical power, and one of the greatest timber belts in the state, the southern half of Sweet Grass county will be one of the most prosperous mining districts of Montana."

#### GALLATIN COUNTY

Gallatin county has not been extensively developed for mineral deposits, though it is known that several mineralized zones exist within its limits.

The Gallatin County Gold Mining Co. owns and operates five claims which are about eighteen miles from Manhattan. "Several shallow shafts have been sunk on the veins besides numerous short tunnels, surface cuts and pits, along the outcrop for a length of 3,000 feet, demonstrating the continuity of the veins. A tunnel has been run, cutting the country, which has reached a length of 450 feet, cutting a well defined vein having a width of from twelve to fifteen feet, which is highly mineralized. A second tunnel will be constructed lower down the mountain which will intersect the vein at a much greater depth. Power is to be installed for the operation of machine drills."

#### LINCOLN COUNTY

Lincoln County's mineral resources are among the most promising and the least developed of Montana. The Cabinet range which rises south of Libby "has some of the most meritorious mineralized zones in the state." During the past few years considerable capital has been invested in the Snowshoe district where gold deposits have been found. There has also been activity in the Libby and West Fisher districts.

The following are the chief properties now in operation: The Carbonate Queen, a silver-lead producer; Victor Empire (silver and lead); the Victoria (copper, gold and silver); the Silver Tip, the Montana Morning (lead-silver); the Shaughnessy (silver-lead); the Keystone group (gold); the Silver Crown (lead and silver); the American Kootenai Company's properties, the Snowshoe Mine (gold); the Big Eight (sulphide of zinc carrying high silver values); the B. B. group (zinc and lead), and the Great Northwest, a silver and lead mine.

#### GRANITE COUNTY

##### Philipsburg and Granite Districts.

The old town of Philipsburg which was settled in 1866, is situated picturesquely on the flanks of a spur of the Rocky Mountains. Below lies the Flint Creek valley, thirty miles in length and watered by the stream of that name. In 1867 the St. Louis Mining Company built a ten stamp mill to treat the free milling ores of the "bedded" deposits of Hope Hill. This mill, constructed of stone, was the first silver mill in the state. It was equipped with ten 650 pound stamps, six one ton iron pans and three six foot settlers, all of which were driven by an eighty horse power engine and boiler.

J. A. MacKnight, writing of the section in 1892, states:

"To the east and south of Philipsburg lie the possessions of the Algonquin and Northwest Mining Companies. Each of these refer to an early period in the history of silver mining in Montana. Both are of Philadelphia origin, and the property owned by them consists of numerous well developed mines lying at the contact, all of which have large deposits of ores that could now be most perfectly worked. The Northwest Company suspended operations in 1879, the Algonquin in 1882. At the dates noted the cost of transportation for supplies only permitted the reduction of high grade rock. One that went less than seventy ounces would not pay to work. \* \* \*

"One of the most important mining camps

in Montana encloses the famous Granite Mountain ledge; it is known as the 'Flint Creek Mining District,' and comprises an area of mineral land fifteen miles square, situated on the western exposure of the Granite range, near the head of the Flint Creek valley. \* \* \*

"The property was originally located in the autumn of 1872, but was allowed to lapse from time to time until July 6, 1875, when the claim known as the Granite Mountain Lode claim was located by Messrs. James W. Estill, Eli D. Holland and Josiah M. Merrell, and recorded July 14, 1875; and the claim known as Granite Mountain Extension Lode claim was located November 30, 1878, by David Simmons, and recorded February 7, 1879. By deeds dated October 18, 1880, Charles D. McLure acquired title, and by power of attorney dated November 1, 1880, he granted to Charles Clark the right to sell all his interest in the property. Until Mr. McLure acquired the title the claims were thought to be 'good prospects,' but inaccessible, and consequently but very little development work was done prior to the autumn of 1880. \* \* \*

"To date of the formation of the Granite Mountain Company (Sept. 3, 1881), the syndicate expended \$50,000 in the purchase of the property and development work. After the organization of the company and until August 4, 1883, these gentlemen (and a few others who had become interested, advanced money as needed, until over \$40,000 more had been expended in development. This work had passed through a shoot of ore 406 feet long, of an average width of about three and a half feet, averaging about fifty ounces in silver per ton; then through 115 feet of barren ground, until November, 1882, when the bonanza shoot was struck in tunnel No. 2. \* \* \*

"Up to May 1, 1881, there had been expended for development about \$7,760. On April 24, 1881, Prof. Joshua E. Clayton visited the property in the employ of the syndicate as an expert.

"Of date April 27, 1881, Prof. Clayton telegraphed as follows: 'Granite Mountain (a)



true fissure. Vein four to six feet wide. Course nearly east (and) west. Average sample assays forty-four ounces. (property) worth \$75,000.' Which was followed by his written report.

"At that date No. 1 tunnel had been driven only 186 feet; tunnel No. 2, 443 feet, tapping the ore shoot at 300 feet from the mouth; a shaft 114 feet deep connecting Nos. 1 and 2; and a drift 90 feet in length, half way between the two tunnels. On this telegram (showing \$75,000 net in sight, for \$7,700 expended), the syndicate made the first payment (of \$20,000) on the bond due May 1, 1881. The quantity and quality of the ore having steadily improved, on August 1, 1881, the second (and last) payment (\$20,000) was made on the bond and the syndicate owned the property, and proceeded to organize the company as previously stated. The marvelous tales arising from the story of the telegraphic order to stop work (November, 1882) being crossed by a message announcing the discovery of the bonanza shoot, may be set at rest by a single statement. The order to Mr. Perkins, the superintendent at that time, to discontinue driving No. 2 tunnel, was because there had been a lack of information at the home office for three weeks previously regarding developments and prospects (the work being in the 115 feet of barren ground, as mentioned above), and the officers wished to be able to give to the gentlemen contributing the development funds some definite information before asking them for more money.

"During the summer and autumn of 1883, 1,435 tons of ore (from the bonanza shoot) were milled in the Algonquin mill, from the proceeds of sales of which the treasury received \$274,000.

"Is it not truly exhilarating to hear Professor Clayton telegraphing that a property was worth \$75,000, which in 1890 paid dividends amounting to \$2,500,000?

"The casual reader can form an idea of the effects of the demonetization of silver on the mining industry, when he is told that this one company was a loser to the extent of \$3,346-

335 between April, 1885, and July, 1889, on account of the depreciation of the white metal, brought about by its demonetization."

The Bi-Metallic Company, also situated in the Flint Creek district, was organized under the laws of the state in May, 1886, by Charles D. McLure, Paul A. Fusz and Charles Clark with a capital stock of \$10,000,000, divided into 400,000 shares of \$25 each. The property, consisting of about twenty lode claims, is situated on and adjoining the Granite Mountain ledge. The company also owned twelve lode claims in the vicinity of Philipsburg, where their mills were built. In 1892 the richest claim of the group was the James G. Blaine, located in 1881 by William Williams and purchased by Charles D. McLure in 1882 for \$1,200. The vein had an average width of four feet, "the quartz and pay has an average width of three feet with an average value of sixty ounces silver." The ore is chiefly a milling sulphide. Prospecting shafts were sunk on the Zeno and the Fanny Parnell lodes, west of the Blaine ledge.

In 1888 the company constructed a fifty-stamp chloridizing dry crushing mill in the Bright Sun lode, not far from Philipsburg. In 1891 another fifty stamp mill was added to the equipment making a total of one hundred stamps. This mill crushed two hundred tons of ore every twenty-four hours. The entire output of the company from the completion of the mills to 1892 was nearly \$5,000,000 and the dividends paid to stockholders amounted to \$1,250,000.

Four hundred and fifty men found employment in the mines and mills.

The Granite and Bi-Metallic were closed down for a long period but in 1911-12 they began operation once more. The old Granite shaft has been repaired and in the future the entire property will be operated by the company. The mill, which is a model of its kind, and the tramway have been renovated to treat and haul the ores. There are 175 men working in and about the property.

Another well known mine, the Flint Creek district, was the Bi-Metallic Extension.

The Combination Mining and Milling Company, whose holdings were situated in the Black Pine mining district, twelve miles northwest of Philipsburg, was famous in the decade from 1882 to 1892. It was a silver property like the Granite Mountain and Bi-Metallic mines.

In this vicinity there were also the great Nevada Creek Placers, the Oro Fino and Zozel and the Headwaters districts.

At the present time the mines operated in the neighborhood are the American Flag, owned by the Modock Copper Company (copper and gold); the Hanna group (gold); the Badger Gold Mining Companies, properties, the Golden Eagle (gold); the Modoc, all in the Red Lion district; the Hobo mine (silver); the First Chance Mining Companies, holdings, the Gold Reef, the Nancy Hanks (gold); the Crescent Mining Company's properties, the Sunday Mine, the North Star group (copper); the Grant and Harford, the Frisco group (lead-silver); the Dewey (gold); the Pocahontas (silver); the John Mitchell (lead-silver); the Hope Mining Company's properties, the Northern Bell group (copper and gold); the International (gold), and the Trout mine.

#### CASCADE COUNTY Neihart

One of the most notable of the older mining districts of this county is Niehart, situated on the eastern slope of the Belt Range. The first discovery of silver ores were made in July, 1881, by J. L. Niehart, S. R. Hartley, and J. C. Brien. In 1892, according to J. A. MacKnight, the principal mine at Neihart was the Queen of the Hills. Next in point of development was the Moulton, and then the Ingersoll, the Mountain Chief, the Benton group, and the Florence. Barker, the adjoining town, owing to the depression in silver and other metals was located about a year before Neihart. Ow-Neihart has not been developed to any great extent for some time. However, during the last year there has been renewed activity and several companies have been organized. The

Florence, the Dakota group, the Marguerette, the Black Diamond, on Snowshoe creek, the Fitzpatrick mine, all properties in the Niehart district, are being actively mined.

In the Benton district the Ripple and Big Seven mining companies are operating successfully. There are also a number of properties being mined in the Barker district.

Recently several excellent strikes of copper ore have been made on the divide between Cascade and Meagher counties.

#### BROADWATER COUNTY

The district most actively mined in this county during the past two or three years was Radersburg. The reason for this greater activity was the building of the branch railway line from Three Forks to the Keating mine, a distance of approximately thirty miles.

The Great Falls Power Company has constructed an electric line from Boulder to the camp, some fifteen miles in length, which has provided the entire district with electricity. This obviates the hauling of coal at heavy expense for operating purposes, and has stimulated all activities.

Five or six new companies have been organized to develop the mineral deposits of this vicinity. The State Mine Inspector says in his Report for 1911-12: "The immense tonnage of low grade ore which could not be mined and shipped by wagon will now be mined at a profit. The companies are all active in the development of the camp, the majority of them having encountered ores containing high gold values." Some of the principal properties are the Keating, Black Friday and the Ohio Keating which has attained a depth of 700 feet.

Other mines of the section are: The Ironage (free-milling gold); the Green Horn (gold); the Martha W. (silver-lead); the John L. (silver, lead and copper); the East Pacific (gold and silver); the Keystone (gold); the Little Giant group (gold); the Rena (gold and copper); the Republic (gold); the Highland Mary (gold); the Cynosure

group (gold); the V. Dandy group, the Little Olga and the Barnetta group (gold).

#### SANDERS COUNTY.

This county contains a number of mineralized districts. The Sin-yal-min or Mission Range, formerly the Flathead Reservation, but now open to settlement and location, is one of the promising mineral areas. Gold, silver and copper are all found in the developed mines, the most important of which are: The Shamrock (gold and silver); the Arizona (gold, silver and copper); Dominion group (gold lead and copper); the Standard (silver-lead); Hartford group (gold); St. Regis (copper and silver); the Copper Bell (copper and gold); the Broken Hill (iron and gold); the Gilbert (gold and silver); the Arlington (silver and gold) and the Eagle Mountain (lead-silver).

#### RAVALLI COUNTY

The Bitter Root Range in the vicinity of Florence shows some highly mineralized zones. Development work on different veins has proven the existence of copper and lead. The Gold Bug mine, owned by the Montana Mines Company and situated seven miles east of Florence is yielding free milling gold. The Ore Finder Mine, operated by the Ore Finder Mining Company and located three miles south of Victor, has ore bodies containing gold, silver and copper. The Curlew group, also near Victor, and owned by A. M. Holter contains ore carrying high values in gold and silver.

#### POWELL COUNTY

The mining operations in Powell county during the past two years have been mostly development work. The Elliston, at Ophir and the Snowshoe districts all show indications of copper veins. The Helmville and Ovando districts have been sufficiently developed to warrant the belief that they will become producing mineral sections. A list of claims and mines now working follows: The Elizabeth group

(silver and lead); the Emery, the Little Dandy (gold); the Ophir (gold and copper); the Black Jack (silver and copper); the Julia Mine (silver, lead and copper); the Ellen Churchill group (silver, lead and copper); the Flagstaff Mine (gold and copper); the B. and B. (gold and copper); the Penmount (lead and silver), and the Birdseye, principally a gold bearing property.

#### MADISON COUNTY

The State Mine Inspector writes: "In its mineral possibilities Madison county ranks with the most favored of the mineral bearing sections of the state. The workable lodes are not limited to any particular district, as at least two-thirds of its area is of a mineral character and producing mines have been developed in nearly every part that has been exploited. The future growth is assured by undeveloped and meritorious prospects that are found in all points of the county. The Virginia City and Twin Bridges districts are coming to the front and are showing permanency as far as developed."

It may not be amiss to note here that the old placer diggings of Alder Gulch and Virginia City are being worked with great profit at the present time by means of a dredge. This valuable asset is the property of Harvard University.

A list of the chief properties now actively worked in Madison county is herewith appended: The Highup mine (gold); the Empire Exploration Company's mines (gold, silver and lead); the Nelly Bly (gold); the Revenue (cyaniding gold); the McKee (gold); the Germania group (gold); the Clipper group (gold); the Bismark (copper and silver); the Lehigh (free milling gold); the Whipporwill (free milling gold); the Winnetaka (free gold); the Little Kersage (free milling gold); the Old Colony group (silver and gold); the Blowout (copper and gold); the Lake Shore Mining Company's properties (gold); the Roach group (gold, copper and silver); the Bedford (silver and lead);



the Strawberry (gold and silver with a small percentage of copper); the Groundhog Claim (gold); the Easton Mine (gold and silver); the Edgerton (free milling gold); the Bell (silver and gold); the North Star group (gold); the Fairview (silver and lead); the Prospect, the Green Campbell, the Nelson (gold); the Broadway (gold); the New Mine (gold), and the Hudson.

#### JEFFERSON COUNTY

Jefferson county contains some valuable mineral deposits. From comparatively early times its mines have been worked. The principal mining districts are the Elkhorn, the Basin, the Upper Basin, the Beaver Creek, the Dogtown, the Blue Bird, the Wicks, the Corbin, Warm Springs, the Amazon and Lowland. Gold, silver, copper and lead are found.

One of the best known among the older mines is the Elkhorn, originally the A. M. Holter Claim. In 1890 the Elkhorn company, an English concern which purchased the property from Mr. Holter, paid \$200,000 in dividends and in 1891, \$328,135. The total net revenue for the last named year was \$356,120. "During 1891 the company worked in their own mill 11,645 dry tons of ore which produced \$441,452, an average of about \$37 per ton. Besides this the mine sold to the smelter 3,234 tons of high grade ore which paid \$207,756, about \$64 per ton." The property is now operated by the Elkhorn Silver Mining Company and J. H. Longmaid is general manager. The ore contains principally silver and lead.

The Rumley mine at Corbin was located in 1870. It produced sulphide ore running about twelve per cent lead, thirty ounces silver and \$3 per ton in gold.

The principal activities are now the Wicks, Corbin and Warm Springs districts. The Corbin Copper Company, which owns a group of twenty-three claims in the Corbin district, is producing copper, silver and gold. A concentrator of 100 tons capacity has been erected on the property to reduce the ores of the mine.

The Montana State Mining Company is developing a promising group of claims in the Warm Springs district, and the Blue Bird-Corbin Gold, Silver and Copper Mining Company, is operating the Blue Bird properties north of Wicks.

Other mines which are being successfully worked in Jefferson county are the King Solomon (silver, lead and copper); the Crystal (copper, silver and lead); the Mount Washington, (gold, lead and silver); the Ruby (gold); the Mayflower, the B. and G., the War Eagle (gold); the Bullion (copper, silver and lead); the Fairview group (silver, lead and gold); the Baltimore, the White Pine, the Atlas (copper, gold and silver); the Alice group (silver-lead); the Hattie Ferguson (silver-lead); the Dalport (gold); the Center Reef (free-milling gold); the Bertha Mines, the Carbonate Chief, the Prickly Pear group, (lead and silver); the Golden Curry (gold); the properties of the Assets Gold Mining Company in the Golconda district (free-milling gold); the Knob Hill (silver and lead); the Drake (silver and lead); the Colorado, the Alta Extension (gold, silver and copper); the Abe, the Good Cheer, the Rose (silver and lead); the Daphne group (silver and lead), and the Robert Emmet (copper, silver and lead), in the Amazon district.

#### PARK COUNTY

The New World, or Cooke City Mining District was discovered in 1872. At that time it was on the Crow Indian Reservation and not until the ratification of the treaty between the government of the United States and that tribe in April, 1882, was it open to settlement and mineral location.

The early prospectors had thoroughly examined the country during the ten years intervening between its discovery and settlement and in 1877 a smelter was built by the Eastern Montana Mining and Smelting Company. Some bullion was produced, but the expense of transportation made the venture profitless.

In 1882 when the ceded portion of the Res-

ervation was opened there was the characteristic "stampede" to the district. J. A. MacKnight says: "Old timers tell many amusing stories of that rush, made partly on horseback and partly on Norwegian snowshoes."

Of the many claims located at that time only thirty were held in 1892.

In 1882 George O. Easton purchased the Great Republic group of mines in this vicinity and organized the Republic Mining Company. This concern spent over \$300,000 in the development of their properties and the construction of a water jacket smelter. The plant soon closed down to await the coming of a railroad. The district has been waiting ever since. The State Mine Inspector says that "with transportation facilities the Cooke City district will excel the entire county in production, owing to the many promising properties now being developed."

The following enumerated properties are being mined at this time: The Republic (silver and lead); the Reward (gold and copper); the Young Bonanza (lead carrying gold and silver); King and Queen (gold); the Tiger group (silver and lead); Copper King group, operated by the Goose Lake Copper Company (copper and silver); the Daisy (lead and silver); the Crevasse (gold), and the Yellow Jacket, a lead and silver mine.

#### MEAGHER COUNTY

Meagher county contained some of the richest and most famous placer mines of early days. The Castle district came into prominence when quartz mining first claimed the attention of the prospectors. The Cumberland mine, consisting of five claims; namely, the Cumberland, the Stonewall Jackson, the Cumberland No. 2, the Monument and the Consequence, was a productive property. Its ores carried high values in silver and lead. The Jumbo, the Potomac (lead) and the Wee Wee and Germania, the Etta (silver); the Grand Central, the Merrimac, the Windsor, the Helena, the Yellowstone, the Great Eastern and the Great Western were all well known properties in the Castle district.

Copperopolis was another famous mineral center.

Recently the mines of Meagher county have been more extensively worked than in many years. The old Copperopolis has been further developed and the North Pacific in that vicinity has yielded a high grade of copper ore.

Copper has been found by the Copper State Mining Company thirty miles north of Martinsdale at the Copper State mine.

The Home Copper Company is operating a group of copper claims at Mindin.

The Claraton group of claims, situated twelve miles north of Martinsdale, has a large copper vein.

The Moonlight mine at the head of White-stone Creek, near Copperopolis, has copper and silver ores.

The Durant group near Martinsdale is producing copper and gold, and the Blue Eyed Nell on the dividing line between Fergus and Meagher counties shows great promise.

#### MISSOULA COUNTY

The State Mine Inspector in his Report dated December 1, 1912, writes:

"Owing to a bill passed by the last legislative assembly, a large mineralized zone was taken from Sanders County and given to Missoula County, giving the latter a scope of mineralized country not excelled in the state. No region in this or any other of the mining states afford to the prospector, miner and capitalist a field where the prospects for success are any better than those to be found in the region taken over by this county. The present development has proven the district to be of some merit and that it will, in the near future, have several producing mines."

In the early history of the county the Iron Mountain Mine on Flint Creek, probably possesses greatest interest. It is said to be an extension of the mineral zone of the Coeur d'Alenes and is a lead-silver vein. The high grade ore ran over 100 ounces in silver and 40 per cent lead. This property was discovered by Frank Hall and D. R. Frazier in 1888

and was bonded to J. K. Pardee, who organized the original company. A mill was erected about one mile from the mine on Flat Creek. The concentrator was designed to treat fifty tons of ore per day but so easily was it reduced that an average of 100 tons per day were concentrated, making from 18 to 20 tons of concentrates, which ran from 80 to 90 ounces of silver and 40 per cent lead. For a long while this mine paid dividends of \$15,000 per month.

The mines operating in Missoula county at this time are the Gold Crown, near Deborgia, the ore of which is an oxide of iron containing gold; the True Fissure, also near Deborgia; the Ben Hur Group, five miles north of Saltese (lead and silver); the Hugo at Saltese, a copper property; the Shaughnessy near Clinton, the vein of which carries copper, gold and silver; the Hamilton-Montana (copper with a small percentage of lead); Jack Pot, north of Clinton containing ore bodies which show copper, gold and silver; the Triangle (copper, gold and silver); the B. A. & P. Group west of Saltese, containing sulphides carrying silver, lead and copper; the Gold Property near Carter (free milling gold); the Iron Mountain (sulphide carrying high values of lead and zinc); the O. R. N. group in the Carter district (silver and lead); the Golden Eagle in the Carter district (silver and lead); the King and Queen, in the Carter district (gold and lead); Last Chance in the Saltese district (silver and lead); the Buffalo (gold); the Iron Mask (lead, silver and a small percentage of copper); the Glen Metal mines and the Silver Cable west of Saltese which contains excellent values in silver and lead.

#### PRECIOUS STONES AND RARE MINERALS

Dr. George Clinton Swallow, professor of chemistry and geology in the University of Missouri, who was made geologist of that state in 1853, was one of the first scientists to become interested in Montana's mineral wealth. The following from his pen on the early history of precious stones of the state, quoted from

J. A. MacKnight's "Mines of Montana" is of interest and value:

"Sapphires were discovered in a number of localities by the early placer miners. They were collected in great numbers in the sluice-boxes with the gold and black sand. They were found on the bars of the Missouri in several localities in Lewis and Clark county, at Montana City and Jefferson City on the Prickly Pear, in Jefferson county and other localities. These gems were sent east and found their way into many cabinets. A few were cut and worn, especially by Montana miners. After many years they attracted the attention of English experts and capitalists, and a company was formed to work these old placers for the sapphires they contain.

"Some of these sapphires are of the largest size and the purest water and most brilliant colors. The varieties most common are the oriental emerald, the oriental topaz, the oriental amethyst and the oriental ruby. No gem except the diamond exceeds them in hardness and brilliancy.

"The writer of this article found the fragments of a large oriental ruby in 1867 on a granite boulder beside the trail leading from Butte to Highland. Some vandal had found it and broken it up with his hammer. Many of the fragments were a half inch long and a third of an inch thick. Enough fragments of this splendid gem were gathered up to fill a two-ounce vial. They were placed in the cabinet of the University of Missouri, from which they were stolen by some bigger fool than the man who wantonly destroyed the gem worth many thousand dollars on the old granite boulder of the Rocky Mountains.

"Garnets—Nearly all varieties of garnets are also found in our placers and in the rocks of our mountains. Many of the fine varieties have been found in the placers in various parts of the state. The precious garnet, the topazolite, the melanite, pyrenite and others of yellow, brown, green, and red colors have been found in our placers and rocks.

"Emeralds—Small emeralds of medium quality have been discovered in the gravel and rocks of the mountains.



"Tourmalines have also appeared in the sluice-boxes of the placer mines, as well as in the metamorphic rocks of the Rockies.

"Mica in sheets of merchantable size and quality has been discovered in two or more localities in the mountain regions of the state.

"Asbestos and Amianthus—Excellent qualities of these minerals exist in large quantities in Madison, Gallatin and Beaverhead counties. Some of it has a fiber fine enough to be woven into cloth. The cloth would have the beauty and luster of silk, and when soiled it could be cleaned and made as lustrous as new by throwing it into a bright fire till the dirt is burned off. It is thus made by fire alone as bright and pure as when new.

\* \* \* \* \*

"Telluride of gold—This is another rare and very valuable mineral found in the mines of Lewis and Clark, Meagher, Madison, Silver Bow and Park counties. A specimen from upper Dry Gulch assayed by the chemist of the Bank of England yielded \$325,000 per ton in gold.

"Stream and wood tin exists in considerable quantities in the gravels of many of our placers, but none of these ores have been found in the rocks from which they were derived, though it is certain they must have come from veins in the adjacent mountains.

"Bismuth exists in considerable quantities in a mine in Emigrant Gulch in Park county.

"Sulphide of antimony is shipped east in large quantities from a group of mines in Missoula County. This ore also exists in several mines in Jefferson county, combined with galena carrying silver, as in the Gregory mine.

"Cobalt and nickel occur in the Belle Stowe mine in Missoula county.

"Iron ores of nearly all the best varieties are found in vast quantities in nearly all the counties in Montana. In the mountain regions are found vast beds of magnetic and spicular ores; in the prairie regions, where the tertiary and cretaceous rocks occur, are extensive beds of spathic ores, and a very large part of the mines of gold and silver have large quantities of the oxides and sulphides of iron, carrying gold."

In 1891 the Sapphire and Ruby Company, Limited, launched by English capitalists, was formed to explore and develop the sapphire mines on and about Eldorado Bar near Helena. The company was organized with a capital of 450,400 pounds sterling, divided into a like number of shares which sold for one pound each. The claims had been worked as placers years before by their owners, Augustus A. Spratt, Frank D. Spratt and others. As Dr. Swallow writes, "sapphires were found in some of the early placer diggings, but the miners had no use for such baubles." J. A. MacKnight states: "It is well authenticated \* \* \* that several diamonds of the first water have been taken from the sluice boxes of the gold washers."

Later developments of the precious stones of Montana have more than borne out early expectations. Yogo gulch once famous for its placers, is now more famous for its sapphires. The State Mine Inspector writes: "The quality of the stones is equal to any on the market."

Two companies are actively engaged in sapphire mining in this district. The London Sapphire Company owns properties on Yogo creek, about 40 miles west of Moore, a town on the Chicago, Milwaukee and St. Paul Railroad. Shafts have been sunk 100 feet and the results are excellent. "The material taken to the surface is allowed to disintegrate before being run through the sluice boxes, where the gems are recovered."

The American Sapphire Company's properties are also located on Yogo creek and within three miles of the ground owned by the English company. The State Mine Inspector says: "The dyke carrying the values has been opened by a tunnel which has been driven a length of 1,300 feet. A shaft has been put down to a depth of 125 feet below the tunnel level for the purpose of exploring the vein or dyke at that point. The mining has been conducted similarly as in metalliferous mines. The dyke is broken and run to chutes and conveyed to a plant which has been erected for the recovery of the stones. The plant is equipped with gigs and revolving screens

for the recovery of the values contained in the veins and material."

Montana sapphires rank among the best in the world in the great markets of Europe and America.

The following extract is from the report on precious stones in Montana entitled "Gems and Precious Stones in 1911," by Douglass B. Sterrett of the U. S. Geological Survey:

#### SAPPHIRE

"A large production of sapphires was reported from Montana during 1911. The output came from the Yogo blue sapphire mines in Fergus county; Rock Creek, in Granite county; Dry Cottonwood, in Deer Lodge county; and the Missouri River placers east of Helena. The mines operating in Fergus county were the New Mine Sapphire Syndicate and the Yogo American Sapphire Company. These companies obtain sapphires by mining, disintegrating and washing a rock matrix. The sapphires obtained here are nearly all blue; those from the other localities are varicolored, and fine blue stones are rare. The Yogo American Sapphire Company, commenced operations in July, 1909, but as no report was received by the Survey the output of this company was not included in the tables of production for the years 1909 and 1910. Mr. H. O. Chowen, president of the company, has supplied statistics of production for the last three years, and this total output is given combined with that of other producers for 1911 in the subsequent table. Consequently the figures given for 1911 are a little high, but the great increase over 1910 is also in a large part due to increased productions from other mines.

"The output of the New Mine Sapphire Syndicate was also greater than in 1910. Some fine sapphires are reported to have been found at this mine in 1911, two of which were exceptionally good. One of these weighed  $3\frac{1}{2}$  carats, and the other  $2\frac{1}{2}$  carats and both had a beautiful cornflower blue color. The summer season, in which the

washing is done, was better than in 1910, and no cloudbursts occurred to damage the ditch on which water for washing is dependent. The water supply was plentiful and together with the new depositing floors laid down in the previous summer added to the increased production of gems.

"The sapphires mined from other localities mentioned all occur in placer gravel deposits. On Dry Cottonwood creek some have been mined by dredging, and one dredge was operated by the Consolidated Gold and Sapphire Mining Company of Butte, in 1911. The American Gem Mining Syndicate works its placers in Granite county by hydraulics, and sluicing. The few sapphires obtained from deposits of Missouri River were found during gold placer mining.

"The production of sapphires in 1911, including those mined by the Yogo American Sapphire Company in 1909 and 1910 amounted to about 88,477 ounces, of which probably about 86,000 ounces were culls for watch jewels, meter bearings, and other mechanical purposes. There were nearly 384,000 carats of varicolored sapphires of suitable size and quality for gems. The total valuation, in part estimated, placed on the production is \$215,313."

#### AGATE

"Moss agate and mocha stone of fine quality occur in Montana. The agates have been found chiefly on the west side of the Yellowstone River from the Dakota line up to and (reported) above Yellowstone Park. They range back from the river over many miles of country, where they are gathered by the ranchers and sheep herders. The agates are distributed over the surface of the ground, in the gravel along creek and river beds, and over some of the grass-covered buttes. The ones collected all lie at the surface or only partly buried. They occur in pebbles, cobbles, and in rough masses ranging from the size of a hazelnut to pieces weighing 12 pounds. Chemical tests made on a number of the

black and reddish-brown spots broken from rough specimens showed the presence of both manganese and iron, confirming the generally accepted idea as to the nature of the dendrites in mocha stone.

"The rough specimens of agate examined consist of fragments and a chipped pebble more than 2 inches thick. The rounded form of the pebble may be due in part to attrition during transportation along the associated gravels. The interior of the pebble and the fragments of agate consist of translucent gray to blue-gray chalcedony. Some of it shows a banded structure, and some an even texture. Black and brown dendritic spots are scattered irregularly through the agate and in places there are seams and irregular patches of slate-color. Reddish-brown, red, and bright-red dendrites, banding and other markings also occur in the agates.

"The gems cut from the Montana moss agate or mocha stone command good prices, \* \* \*. Some of the smaller stones suitable for stick pins, if the mossy or fern-like patterns are particularly delicate and beautiful, bring \$25 apiece. Large quantities of agate are cut which yield less attractive gems, and stones as fine as those described above are rare. The value of such gems as have been described lies in the fact that they can not be duplicated."

#### JASPER

"Specimens of Montana jasper have been furnished by Mr. J. H. Mosher, of Glendive. One variety is composed of dark-yellow jasper, in which are turtle-back markings of gray chalcedony and a little metallic hematite with a few patches of bright-red jasper scattered through the specimen and in a broad band along one side of it. The pattern and colors displayed by a gem cut from this material are very pretty. Another variety which Mr. Mosher calls mahogany jasper has a dark reddish-brown mahogany color, with peculiar patches and irregular streaks of darker color resembling the grain of wood.

"During the State Fair of 1912, J. H. Mosher, of Glendive, had on exhibition a fine

collection of mocha agate and mocha jasper stones from Dawson county. The collection consisted of about 1,000 stones and at least one-half of them were gems of high quality ranging in value from \$25 to \$300."

The best specimens are found in the vicinity of Glendive, Miles City and Billings.

#### GRAPHITE

Graphite which is used for making lead pencils and also in the manufacture of crucibles, "stove-polish, foundry facings, paints, lubricants, glazing, electrotyping, etc.," is found in this state. Professor J. P. Rowe of the University of Montana writes:

"The commercial graphite found in Montana is located 11 miles southeast of Dillon in the Van Camp Canyon. The wagon road leading to the deposit is a rather rough one, especially from the mouth of the canyon to the mine. The road from the mine to Dillon is all down grade, and large loads could be hauled to town, providing a little work was done on the roads from the mouth of the canyon up.

"The graphite is found in a quartzite schist, and probably belongs to the pre-Cambrian period. The vein is made up of stringers of graphite and can be traced by its outcrop north and south several miles. The mine developed most is on the eastern slope of the Black Tail range of mountains. Van Camp creek has its source in the little valley near by. The graphite is quite pure and as good a quality as any mined in New York. As yet, not enough development work has been done to determine the value of the deposit. Several hundred pounds have been mined and most of it stored in barrels and placed near the mine or in a cabin close by.

"The presence of graphite at this place has been known for some time, and once considerable prospecting work was done. Of late, however, little or no attention has been paid to it.

"In order to determine the value of the Van Camp Canyon deposit more prospecting



and more developing work would have to be done."

#### PHOSPHATE

The reports of the U. S. Geological Survey credit Montana with some of the finest phosphate fields in the world. Phosphate deposits were discovered near Melrose two years ago or more, and after careful examination 34,000 acres of phosphate lands were withdrawn from the settlement. In 1912 further development work showed that the fields extended north and west and thousands of additional acres were added to the original area withdrawn. Phosphates are found in Beaverhead, Deer Lodge, Silver Bow, Powell and Granite counties.

An authority writes: "The discovery of these phosphate fields will add another industry to the vast resources of Montana. It has been suggested that their nearness to large copper smelters is of great importance, for the large quantities of sulphuric acid now going to waste can be utilized in the reduction of phosphate rock.

"No date has been fixed for opening the phosphate lands for location or purchase and their disposal will probably be determined by an Act of Congress providing the manner in which these lands may be acquired."

#### COAL FIELDS OF MONTANA

Jesse Perry Rowe, professor of Physics and Geology of the University of Montana, writes of the coal fields of Montana as follows:

"According to estimates given by Storrs in the 22d Annual Report of the U. S. Geological Survey, Montana has an area of about 13,000 square miles of anthracitic, bituminous, and lignitic-bituminous coals. The Lignite areas including the Cretaceous and Tertiary will undoubtedly aggregate more nearly 50,000 square miles than the area heretofore given of 25,000 square miles. The bituminous area of Montana exceeds the combined bituminous areas of North Dakota, South

Dakota, Wyoming, Utah and New Mexico; and is only exceeded in the Rocky Mountain states by Colorado. Her lignite area is next to that of North Dakota, and exceeds the combined lignitic areas of all the other states of the Rocky Mountains.

"All but three counties, Silverbow, Sanders and Jefferson, have coal or lignite deposits, as soon as developed, of commercial value. Few states can boast of such a distribution of natural fuel. In the eastern part of the state the ranchers, and townspeople as well, burn nothing but lignite. Any one living on the plains and desiring a load of fuel, simply drives to his favorite nearby lignite seam, and procures it. This is indeed a blessing. No timber to speak of within miles, and oftentimes remote from a railroad, the people are permitted to live and develop this great country without worry, and but little trouble in securing the much needed article in the development of every country, fuel.

"During the year of 1904 Montana produced about 1,500,000 tons of coal and lignite valued at about \$2,450,000. The past year (1905) has given a larger yield, and with the increased activity at Sandcoulee, Lewistown, Storrs, and Bear Creek, 2,000,000 tons will probably represent the output in 1906. There is also some activity in the Neocene lignite fields of Granite and Ravalli counties.

"Montana produces nearly 15 per cent of all the coal and lignite that is mined in the Rocky Mountain region. She also produces about 65 per cent of all the total output of the Pacific Coast fields comprising the states of Washington, Oregon and California. Colorado and Wyoming are the only states in the Rocky Mountain Fields that produce more coal and lignite than Montana.

"There are at least 40 to 50 producing properties in the state, but the greater part of the tonnage is taken from 12 or 15 of the larger properties.

"The following are some of the large producers:

At Sandcoulee ...	}	1—Ed. Gerber.
		2—Nelson Bros.
At Stockett .....		3—Great Northern.
At Belt .....		4—Amalgamated Copper Co.
	}	5—Hamilton Mine.
At Lewistown ...		6—Spring Creek or Gebo Mine.
	}	7—Chestnut—N. P.
At Chestnut .....		8—Mountainside—N. P.
At Storrs .....		9—Amalgamated Copper Co.
At Cokedale .....		10—Senator Clark.
At Red Lodge ....		11—N. P. Railroad Co.
At Bear Creek ....		12—Owners not known.
At Gebo .....		13—Owner not known.
At Bridger .....		14—Senator Clark.

"Montana uses about 150,000 tons of bituminous coal annually for coking purposes—taking about 2 tons of coal for every ton of coke. The coke ovens are located at Horr (Electric), Park county; Cokedale, Park county; Storrs, Gallatin county; and Belt, Cascade county. The state has the 19th rank among the coal and lignite producing states of the Union.

"According to L. S. Storrs, Frank A. Wilder and others, the Montana bituminous coals compare in efficiency, quite favorably with the bituminous coals from the central and eastern states. A bituminous coal from Pennsylvania was taken as the standard and the actual evaporation at working temperature and pressure from stationary boiler tests was 6.83 pounds. The evaporation from and at 212 degrees F. was 8.17 pounds. A coking variety of coal from Aldridge was taken and had a relative efficiency in comparison with the above of 100 per cent. A bituminous variety from Livingston-Bozeman had a relative efficiency of 84.6. The Rocky Fork coals (Red Lodge) had a relative efficiency of about 95. Clark Fork coals, 78.3. The Plains lignite, near Miles City, had a relative efficiency of 60.5.

"The tests from the locomotives are somewhat lower than the stationary tests, with the exception of the Plains lignite, which was higher from 10 to 12 per cent.

"While the state has never been thoroughly exploited geologically, enough work has been done to give, in general, an outline of the various coal and lignite areas within its borders. The different fields and areas are as follows: (1) Plain Region; (2) Bull Mountain Field; (3) Clarks Fork Field; (4) Rocky Fork Field; (5) Yellowstone Field; (6) Trail Creek Field; (7) Cinnabar Field; (8) West Gallatin Field; (9) Toston Area; (10) Ruby Valley Field; (11) Belt or Great Falls Field; (12) Flathead Field; (13) Sweetgrass Hills Field; (14) Judith Basin Field; (15) Neocene Lake Beds Areas.

#### PLAINS REGION

"The lignite areas of eastern Montana are a continuation of the large lignitic areas in the Dakotas. Almost the entire eastern half of the state is underlain by beds of good lignite. The lignite runs from the ordinary brown, light, easily slacking variety, to the darker, heavier, almost semi-bituminous kinds. The beds vary from a few inches to more than 20 feet in thickness. Some places are found where the lignite seams are very thinly capped, while others have several feet of clay, sandstone, etc., as a capping. Most of the seams are horizontal and were doubtless laid down in shallow fresh or brackish water.

"While there are hundreds of lignite prospects in the plains region, only a few are worked for other than local domestic ranch use. The exact lignite area is not known, however it covers many square miles.

"Lignite in varying amounts, is found from Wibaux and Culbertson on the east, to Forsyth and Sanford on the west. From the southern part of Custer and Rosebud to northern part of Valley county, hardly a township in Custer, Dawson and Valley counties that has not more or less lignite. Vast deposits are awaiting development. \* \* \*

## BULL MOUNTAIN FIELD

The Bull Mountain field lies wholly within Yellowstone county and is the most isolated coal area known in the state.

It is 45 miles northeast of Billings and on account of such a distance to market or a railroad, little development work has been done. The field is elliptical in shape and contains about 55 square miles in area. The fuel from this field is from two distinct formations, the Laramie and Fort Union.

On the east-west axis through the center of the field the bed acquires its greatest thickness of 16 feet of clean coal, thinning down to 10 feet at the extreme western end.

The best beds are found in the Fort Union formation, and the character of the coal is lignitic-bituminous. Several seams of good lignite are also found in the underlying Laramie, but it is a poorer variety of fuel than is found in the Fort Union.

## CLARKS FORK FIELD

The Clarks Fork field is one of the largest fields in the state. It passes through parts of Meagher, Sweetgrass, Yellowstone and Carbon counties. It is the field with the newest activity—in the southern part, at Bear Creek. Its continuation south into Wyoming forms the Bighorn Basin Field of that state. No mines of any importance are found in the northern part of this field but the central and southern portions have workable seams from 5 to 7 feet thick.

The coal of the southern part of the Clark Forks field is lignitic-bituminous and the principal mines are found in Carbon county—especially at Gebo, Bridger, Bear Creek, Joliet and Elbo Creek.

The Butte and Anaconda smelters consume a large amount of the coal mined in this field. Over 300,000 tons were mined in 1905. There will be a large increase in 1906 owing to the opening and active operation of several new mines.

The mines at Bear Creek, Gebo, Bridger, etc., are found in the Laramie. According to

Storrs the entire field occupies the bottom of the Laramie formation.

## ROCKY FORK FIELD

The Rocky Fork field is one of the smallest but one of the most productive fields in the state. It is located in the south central part of Carbon county, only a few miles from the Clarks Fork field. It is separated from Bear Creek by a high divide. There are several good seams found at Red Lodge, ranging from 4 to 8 feet thick. Much active work has been going on here for some time. The property at Red Lodge is owned and worked by the Northern Pacific Railway Company.

The character of the coal in the Rocky Fork field is semi-bituminous. The coal strata dip the west, at an angle of 4 to 5 degrees.

The field is about 6 miles in length north and south and extends eastward 5 miles from the limiting limestones of the western border.

Storrs says, 'The coal-bearing rocks are immediately above the Laramie strata and probably belong to the Fort Union.' Fisher says, 'About 4 miles southeast of Red Lodge, Mont., at the head of Bear Creek, several openings have been made. This area is locally known as the Bear Creek coal district. The coal is found in the upper sandy division of the Laramie and belongs to the same general horizon as the Red Lodge mines.'

Without a doubt, the Bear Creek mines which belong to the Clarks Fork field, are found in the Laramie. As stated before, the writer found the typical Laramie fresh or brackish water fossils in some of the Bear Creek mines. To the writer's view the mines at Red Lodge are entirely separate from the Bear Creek formation. They all belong to the Rocky Fork field, and as before noted, are undoubtedly Fort Union.

## YELLOWSTONE FIELD

The Yellowstone field lies almost wholly within the counties of Gallatin and Park. Meagher, Broadwater and Sweetgrass coun-



ties have a small portion each of this field within their boundaries. The field is almost an L shape and is divided into three districts. The Boulder district comprises the area of Laramie along the drainage of the West Boulder.

The area covered by the coal measures is 30 miles in length east and west, and from 5 to 18 miles in breadth. Only one coal bed has as yet been discovered in this district. This has a maximum thickness of 4 feet at the eastern end, on the West Boulder River. The coal of this district is good for steam and coking purposes.

The Livingston-Bozeman district consists of the continuation of the Boulder district from the Yellowstone River westward.

This district contains the maximum thickness of coal in the entire field and is the only portion in which actual mining is now going on.

The Sixteen Mile Creek and Shields River districts extend northward 40 miles from the line of the Northern Pacific Railway, to the Northern end of the Crazy Mountains.

From this point they extend westward 45 miles, around the northern end of the Bridger Range.

This field has received more attention than any other field in the state. It was examined by the geologists of the Hayden survey; Geo. H. Eldridge explored it for the Northern Transcontinental survey; in fact, nearly everyone who has written on the coal of Montana has taken this field as his text. The importance of this field lies not only in the amount and quality of its coal, but also in its proximity to the Northern Pacific Railroad.

The coal measures of the Yellowstone field are extensively worked at Cokedale, Timberline, Chestnut, Mountainside, and Storrs.

The character of the coal varies from a good coking variety at Cokedale and Storrs to a dry steam coal at Timberline and westward.

#### TRAIL CREEK FIELD

Directly south of Bozeman about 10 miles is found Trail Creek field. It is also situated

9 miles south of the Northern Pacific main line at Mountainside, and separated by only half a mile from the Yellowstone field.

There are three coal beds of workable thickness through the northern end of this field, where there are two operating mines, in which the coal has a thickness of 4 to 12 feet.

The coal is a good semi-bituminous variety and many tons are taken out each year. A spur of the Northern Pacific Railway connects this field with the main line at Mountainside. The geological horizon of the Trail Creek coal field is undoubtedly Laramie.

#### CINNABAR FIELD

This is a small isolated field at the extreme southern end of Park county. The field lies directly north of the National Park and is divided by the Yellowstone River and only the western portion is worked to any large degree at present. The eastern part has two mines, one known as the old 'Bowers' mine and the other as the 'Jones' property. The latter is worked in a small way supplying fuel chiefly for domestic purposes in and around Horr (Electric).

The coal seams are found in highly metamorphic rock and are about 1,500 feet above the railroad. 'There are four coal beds in the main portion of the field, all of which are of workable thickness, the thickest being 5½ feet.'

The coal strata have been highly folded and faulted and subjected to the heat of nearby volcanoes, so that some of the coal has been changed to semi-anthracite. Part of the coal found in this field is coking, and at the town of Horr (Electric) situated between the east and west parts of this field, there is found a first class coking plant.

There is but one large mine working at present in the western portion of this field, but all will be worked sooner or later, as the coal is probably the best in the state.

The geology of this part of the country is extremely interesting. Weed gives a section of geological strata, from the Carboniferous to the Tertiary and places the coal seams in

the Laramie. He gives the Laramie as follows:

	No. of Beds.	Thickness in feet.	
Laramie . . . . .	29	800	Sandstones, containing coal.
Laramie . . . . .	28	5	Coal seams.
Laramie . . . . .	27	125	Sandstones, white massive, cross-bedded.

#### WEST GALLATIN FIELD

Most of this field is located in the southwest corner of Gallatin county, a small portion, however, is found in the eastern part of Madison county. The field is not large and is a long distance from the railroad. The coal is found in small isolated areas, and, as little or no systematic prospecting has ever been done, but little is known of the field. The seams range from 4 to 6 feet and some have shown good coking properties.

With a distance of 75 miles to a railroad and in not a very thickly settled section of the country, it will probably be some time before the real value of this field is known. It seems to offer a fairly good promise. The region is one of more or less volcanic metamorphism and the character of the coal will undoubtedly show good.

The geological formation of the field is Laramie.

#### TOSTON AREA

The Toston area is a small area containing about six square miles. It is located three miles from the town of Toston on the Northern Pacific Railroad. The region is highly metamorphic and owing to this fact the coal is a high grade fuel. Part of the field yields coking coal while a portion contains graphite.

The size of the field and thickness of the seams will probably never warrant extensive workings, while the character of the fuel products are among the best in the state.

This field belongs to the Kootenai formation.

#### RUBY VALLEY FIELD

About 30 miles west of the Gallatin field is found the Ruby Valley field. Not much prospecting has been done in this field and no mines of commercial value yet opened. To the northeast of this field and northeast of Virginia City, and also to the southwest, are found other small areas of bituminous coal. To the east of this field there is a small area which yields semi-anthracite coal.

This field undoubtedly belongs to the Laramie formation.

#### BELT OR GREAT FALLS FIELD

This field runs through Teton, Lewis and Clark, Cascade, and Fergus counties. The last three counties have good workable mines within their borders. The field runs almost north and south through Teton county; northwest, southeast through Lewis and Clark county and almost east and west through Cascade and Fergus counties.

This field is by far the largest in the state, outside of the eastern Plains portion.

The thickest part of the field seems to be in the central portion of Cascade county, in and around Sandcoulee while it thins out both to the east and westward.

The character of coal in this field is both the coking and steam varieties. It is undoubtedly as good throughout as any coal in Montana.

There are many mines in this field and only in a few places has any systematic prospecting been done. Lewis and Clark and Teton counties offer a splendid field for careful coal prospecting. The writer believes that the coal around Augusta and northern parts of Lewis and Clark county will develop good mines in the near future. The coal is a good quality and all indications point to plenty of it.

The principal mines in the Great Falls field are at Augusta, Lewis and Clark county; and at Belt, Sandcoulee, and Stockett, Cascade county. There are many smaller mines at other places especially in Cascade county,

but none, so far, have any marked commercial value.

The geological age of this field was determined by J. S. Newberry and the field itself was first described by Walter Harvey Weed in the third Annual Bulletin of the Geological Society of America, June, 1892.

It belongs to the Kootenai formation, Cascade of Weed, and is the only considerable occurrence in the United States of the Canadian coal fields.

#### FLATHEAD FIELD

The Flathead field is entirely within the borders of Flathead county and has three distinct areas. First the North Fork of the Flathead River area; second the Middle Fork area and third the South Fork area. A good grade of lignite has been found in all of these areas, but only one, the North Fork area, has ever been worked to any extent, and it not within the past few years.

The character of the fuel as stated before is lignite and in some places a fairly good thickness is found. The north and south areas are isolated from a railroad while the middle area is partially crossed by the Great Northern trans-continental line.

The geology of this field is undoubtedly upper Cretaceous.

#### SWEETGRASS HILLS FIELD

Most of this field is in the northwestern part of Chouteau county. But little work has ever been done in this direction. The coal is a semi-bituminous steam variety. There are several workable seams, but no commercial mines are in operation here at present. According to Storrs the coal occurs in the Belly River formation.

#### JUDITH BASIN FIELD

This area is found entirely within Fergus county. It is somewhat triangular in form, running on the outer rim of the Judith Moun-

tains. Its widest portion is directly west of Gilt Edge, around the southern part of Flat Mountain to a point almost directly east of Lewistown.

The character of coal found is semi-bituminous to bituminous, while so far none has shown coking qualities, it is an excellent steam and domestic fuel.

The geological formation is undoubtedly Kootenai and is probably a continuation of the Belt Field.

#### SMITH RIVER AREA.

This area lies along the high divide east of the Smith River. No thorough prospecting has ever been done in this area and but very little is known concerning it. The coal near the mouth of Smith River or Deep Creek is semi-bituminous, but this latter undoubtedly belongs to the Great Falls or Belt Field.

#### NEOCENE LAKE BEDS AREA.

The lignite found in the western third of the state is almost all from the Neocene Lake Beds. The counties of Granite, Missoula, and Ravalli being the chief ones. Most of the inter-montane valleys of western Montana were formerly Neocene Lakes, and in these lake beds are found a fairly good quality of lignite. This fuel is mined in many places and the seams range from a few inches to several feet in thickness. It is as good as the Laramie lignites of the plains but has never been found in such large areas or as thick. However, these deposits are being sought after for local domestic fuel and will probably be in good demand within less than a decade. The beds in Ravalli county have so far shown the greatest promise.

In most of the coal areas that have been investigated the most apparent thing is the lack of attention that has as yet been paid to this great natural endowment of our state. In nearly every area there are only a few small places that have been thoroughly pros-



pected, while outside the small areas nothing accurate is known.

In the eastern part of Montana, in Rosebud, Custer, Valley, and Dawson counties, the plains are literally underlain with lignite of a good quality. Here where there is a scarcity of timber, the lignite has been mined in a desultory way for domestic use only, but with a small amount of capital invested this same lignite could be profitably mined on a large scale."<sup>1</sup>

The following summary is from the Bienial Report of the Inspector of Coal Mines of Montana.

Comparison of Two Periods—1911 and 1912.

Total number of mines reporting production: 45 in 1911—48 in 1912.

Total number of machinemen employed: 220 in 1911—181 in 1912.

Total number of loaders employed: 435 in 1911—563 in 1912.

Total number of miners employed: 1,715 in 1911—1,538 in 1912.

Total number of inside daymen employed: 764 in 1911—746 in 1912.

Total number of outside daymen employed: 642 in 1911—570 in 1912.

Average production per man per day employed: 3.3 in 1911—4.3 in 1912.

Total tonnage produced in 1911 period: 2,913,406 tons.

Total tonnage produced in 1912 period: 3,143,799 tons.

Total value of production in 1911 period: selling price at mine \$4,904,620.83.

Total value of production in 1912 period: selling price at mine \$5,600,907. \* \* \*

In 1911 period, hand mined and shot off the solid: 1,847,317 tons.

In 1912 period, hand mined and shot off the solid: 2,069,540 tons.

Machine mined in 1911 period: 36.6%—1,066,088 tons.

Machine mined in 1912 period: 34%—1,074,258.6 tons.

<sup>1</sup>"Montana Coal and Lignite Deposits," by Jesse Perry Rowe, Ph. D., Professor of Physics and Geology, University of Montana.

## METAL PRODUCTION, 1912.

The following report of the metal production of Montana for the year 1912 is from the United States Geological Survey Press Bulletin, January 7, 1913:

### MONTANA METAL PRODUCTION IN 1912

As a result of the increased price of metals and the greater production of copper particularly, the total value of the metal output of Montana in 1912 was close to \$64,000,000, according to preliminary estimates by V. C. Heikes, of the United States Geological Survey. This represents an increase of nearly 36 per cent in value over the 1911 output and is the most valuable production since that of 1906. About 79 per cent of this value came from copper alone, about 12 per cent from silver, nearly 6 per cent from gold, and nearly 3 per cent from zinc.

An estimated decrease of over 5 per cent in gold production brought the output of 1912 down to about \$3,500,000. This was probably due to a diminished yield of mill bullion, especially in the Little Rockies district, formerly in Chouteau county but now in Blaine county. The gold output from placer bullion slightly increased, being sustained by six operating dredges. The four boats at Ruby had a successful season, and the Kansas City plant, in Missoula county, and the Magpie, in Lewis and Clark county, were active.

There was also an increase of about 5 per cent in silver, from nearly 12,000,000 ounces in 1911 to about 12,500,000 ounces in 1912. This was to be credited to Butte copper ore. The increase of 7.5 cents a fine ounce in the average price of silver meant a difference of nearly a million dollars in the value of the production.

Instead of curtailing the output of copper, as in 1911, when nearly 273,000,000 pounds were marketed, the production of 1912 was brought up to about 310,000,000 pounds, or nearly that of the year 1909. This is an increase of about 14 per cent, due partly to

the rise in price of the metal, which averaged somewhat over 16 cents a pound, against 12.5 cents in 1911. Although Montana recorded a larger copper output, it retained second place among the States in 1912, as Arizona had a much greater increase. The copper mines at Butte, especially the Anaconda, East Butte, and Tuolumne mines, made better showings. The smelting plants at Anaconda and Great Falls were not only more active than in recent years, but plans were made and work started to entirely reconstruct the Great Falls plant. The Anaconda mines were producing at the rate of 26,000,000 pounds of copper a month, and the East Butte at somewhat over 1,000,000 pounds. At the latter plant capacity was increased by lengthening the furnaces. The cost of mining at Butte was lessened by the use of electric power.

There was no important change in lead production in 1912 from the output of nearly 6,500,000 pounds in 1911. The East Helena lead plant was active but worked largely on lead ore from other States.

A decrease of about 41 per cent. to an

estimated production of 25,520,000 pounds for 1912, was shown in the smelter output, but interesting work was done in metallurgical treatment and construction. The Elm Orlu mine, the concentrator of which was lost by fire in 1911, produced no zinc, although experiments were made in direct smelting of the ore, both at Butte and in Germany. Improvements were made at the Butte & Superior mine, which somewhat retarded shipments. A new surface plant and a 500-ton unit of a concentration mill were constructed. The latter began operations in June, using an oil flotation process in connection with concentration. Small shipments of zinc concentrates were made from Basin, in Jefferson county, and of zinc ore from Troy, in Lincoln county. Work at Georgetown, in Deer Lodge county, was stimulated by the building of the railroad into the district, and construction was continued on the road to Radersburg, in Broadwater county.

The following statistics will give a fair idea of the importance of Montana as one of the great mineral-producing sections of the world.

MINE OUTPUT OF METALS IN THE STATE, 1911, BY COUNTIES—U. S. GEO. SURVEY.

COUNTY.	Gold—Placer.....	Gold—Deep Mine...	Silver—Fine Ounces	Copper—Pounds....	Lead—Pounds.....	Zinc—Pounds.....	Total value.....
Beaverhead.....	\$ 1,453	\$ 43,400	102,864	137,577	830,572	.....	\$ 153,946
Broadwater.....	5,123	600,519	13,387	140,558	149,276	.....	637,024
Cascade.....	.....	2,774	99,825	5,314	861,613	.....	95,118
Chouteau.....	60	433,769	48,519	.....	.....	.....	459,551
Deer Lodge.....	285	66,998	73,842	7,463	.....	.....	107,352
Fergus.....	66	358,515	8,676	.....	17,446	75,995	368,296
Gallatin.....	424	.....	1	.....	.....	.....	425
Granite.....	2,584	136,856	350,852	16,627	80,679	.....	331,100
Jefferson.....	4,318	91,776	823,704	161,719	2,088,236	.....	646,843
Lewis and Clark.....	26,728	231,757	57,402	7,402	116,146	.....	295,156
Lincoln.....	3,788	5,209	15,032	.....	816,211	.....	53,093
Madison.....	584,948	275,441	102,357	25,533	225,416	.....	927,974
Meagher.....	38	89	92	10,862	12,544	.....	2,098
Missoula.....	20,395	14,500	2,588	.....	28,976	.....	37,571
Park.....	2,235	575	264	.....	29,866	.....	4,204
Powell.....	23,343	36,772	25,659	41,468	110,796	.....	83,883
Ravalli.....	2,836	854	959	7,053	24,372	.....	6,177
Sanders.....	.....	229	870	14,958	22,150	.....	3,557
Silver Bow.....	6,175	725,730	10,258,122	272,271,171	1,017,273	43,734,150	42,741,229

PRODUCTION OF GOLD, SILVER, COPPER AND  
LEAD IN MONTANA, FROM THE YEAR 1862  
TO 1911, INCLUSIVE

Year.	Gold.	*Silver.	Copper.	Lead.	Totals.
			\$ .....	\$ .....	\$ 211,000,000
1862 to 1881...	\$200,000,000	\$11,000,000	1,539,860	.....	8,459,860
1882 .....	2,550,000	4,370,000	3,452,960	226,424	11,479,384
1883 .....	1,800,000	6,000,000	5,386,500	246,326	14,802,826
1884 .....	2,170,000	7,000,000	6,779,800	274,350	21,954,150
1885 .....	3,400,000	11,500,000	5,761,200	494,132	24,526,332
1886 .....	4,422,000	13,849,000	8,853,750	607,662	33,257,496
1887 .....	5,978,536	17,817,548	15,103,946	569,160	35,664,095
1888 .....	4,200,253	15,790,736	13,334,970	456,975	36,685,884
1889 .....	3,500,000	19,393,939	16,630,958	964,089	43,029,827
1890 .....	3,300,000	20,363,636	14,377,336	1,229,027	38,635,757
1891 .....	2,890,000	20,139,394	19,105,464	990,035	45,419,208
1892 .....	2,891,386	22,432,323	16,630,958	946,089	43,029,827
1893 .....	3,576,000	21,858,780	17,233,718	730,551	38,191,137
1894 .....	3,651,410	16,575,458	21,114,869	754,360	49,083,261
1895 .....	4,327,040	22,886,992	25,356,541	670,010	50,732,099
1896 .....	4,380,671	20,324,877	26,798,915	928,619	53,954,675
1897 .....	4,496,431	21,730,710	26,102,616	809,056	51,319,067
1898 .....	5,247,913	19,159,482	40,941,906	909,410	68,457,308
1899 .....	4,819,157	21,786,835	39,827,135	701,156	63,746,727
1900 .....	4,736,225	18,482,211	36,751,837	498,622	60,387,619
1901 .....	4,802,717	18,334,443	24,606,038	332,749	46,961,167
1902 .....	4,400,095	17,662,285	28,200,695	387,445	50,276,355
1903 .....	4,590,516	17,097,702	36,410,310	195,525	60,590,848
1904 .....	5,097,786	18,887,227	48,165,277	227,160	70,677,583
1905 .....	4,889,234	17,359,912	56,105,288	254,390	68,855,764
1906 .....	4,469,014	8,027,072	44,021,758	198,660	53,656,249
1907 .....	3,286,212	6,149,619	33,220,149	193,056	42,036,710
1908 .....	3,057,640	5,488,785	40,567,541	128,287	51,429,694
1909 .....	3,791,510	6,436,931	36,170,686	180,677	48,358,253
1910 .....	3,730,486	6,567,942	.....	.....	46,955,287
1911 .....	3,710,571	.....	.....	.....	.....
Total .....	\$318,162,803	\$454,469,839	\$708,578,457	\$14,833,307	\$1,541,580,087

\* Silver coinage value to 1906. Grand total includes values of zinc in 1908, 1909, 1910 and 1911. Totals for silver, copper and lead do not include 1911.



## MONTANA'S MINERAL OUTPUT

Year.	Gold.	Silver.	Copper. \$16,665,473	Lead. \$ 675,392	Totals. \$40,095,465
1890 .....	\$3,300,000	\$20,360,636	14,377,336	1,229,027	38,635,757
1891 .....	2,890,000	20,139,394	19,105,646	990,035	45,419,208
1892 .....	2,891,386	22,432,323	16,360,958	964,089	43,029,827
1893 .....	3,576,000	21,858,780	17,233,718	730,551	38,191,137
1894 .....	3,651,410	16,575,458	21,114,869	754,360	49,083,261
1895 .....	4,327,040	22,886,992	25,356,541	670,010	50,732,099
1896 .....	4,380,671	20,324,877	26,798,915	928,619	53,954,675
1897 .....	4,496,431	21,730,710	26,102,616	809,056	51,310,067
1898 .....	5,274,913	19,159,482	40,941,906	909,340	68,457,338
1899 .....	4,819,157	21,786,835	39,827,135	701,156	63,746,727
1900 .....	4,736,225	18,334,443	36,751,837	498,622	60,387,619
1901 .....	4,802,717	18,334,443	24,606,038	332,749	46,961,167
1902 .....	4,400,095	17,622,285	28,200,692	387,445	50,276,335
1903 .....	3,590,516	17,097,702	36,410,301	195,525	60,590,848
1904 .....	5,097,786	18,887,227	48,165,277	227,160	70,677,583
1905 .....	4,889,234	7,991,705	56,105,288	254,390	68,855,764
1906 .....	4,469,014	8,027,027	57,945,000	275,500	67,646,330
1907 .....	3,286,212	6,149,619	45,195,000	265,400	54,006,820
1908 .....	3,057,640	5,488,785	40,567,541	128,287	51,429,694
1909 .....	3,791,510	6,436,931	36,170,686	180,677	* 48,358,253
1910 .....	3,730,486	6,567,942			

PRODUCTION OF GOLD, SILVER, COPPER, LEAD  
AND ZINC IN MONTANA, BY COUNTIES,  
IN 1910

County	Gold.	Silver.	Copper. \$ 7,533	Lead. \$ 1,205	Zinc. \$.....
Beaverhead .....	\$ 57,105	\$ 27,890	15,865	10,821	.....
Broadwater .....	321,955	11,600	2,339	13,134	.....
Cascade .....	2,170	30,812	.....	.....	.....
Chouteau .....	408,315	80,716	52,534	300	.....
Deer Lodge .....	135,809	50,160	2,396	1,158	.....
Flathead .....	40,317	500,121	15,508	86,922	.....
Granite .....	80,443	166,548	547	8,663	.....
Jefferson .....	133,709	555,972	4,973	10,716	.....
Lewis and Clark ....	190,903	31,803	500	.....	.....
Madison .....	810,699	61,169	.....	900	.....
Meagher .....	1,729	300	.....	1,800	.....
Park .....	800	300	.....	4,071	.....
Ravalli .....	3,000	1,100	10,130	2,114	.....
Missoula .....	39,011	4,322	4,000	11,835	.....
Powell .....	42,719	8,630	.....	6,175	.....
Sanders .....	2,000	3,000	148	2,651	972
Lincoln .....	5,048	1,863	36,101,637	15,408	1,707,490
Fergus .....	636,752	5,013			
Silver Bow .....	765,155	5,616,454			

\*Total includes \$1,708,462 zinc production.

	Spelter (Zinc) Tons (2,000 lbs.)
Year 1906 .....	1,415
Year 1907 .....	.....
Year 1908 .....	900
Year 1909 .....	4,725
Year 1910 .....	12,408
Year 1911 .....	22,115
Year 1912 .....	14,196

There are reasons why the production of 1912 was less than in 1911,—first the Butte Reduction Works concentrator burned in October, 1911, thus cutting off Elm Orlu output since that date; second, the Butte & Supe-

rior production fell off after closing of Basin works and before Butte & Superior mill in Butte was working up to full capacity. It is learned from good authority that the Butte & Superior entire production for 1913 will not be far from 40,000 tons of zinc.

The total number of mines reported by the State Mine Inspector was 278 in 1912, giving employment to 14,500 miners, and his report contains a description of the mines operated last year.

The value of the metal production was \$48,358,253.00 in 1910, \$46,955,287.00 in 1911, and approximately \$64,000,000.00 in 1912.

## CHAPTER XXII

### INDUSTRIES AND MANUFACTORIES

The Jesuit Missionaries,—Father DeSmet, Father Ravalli and the other members of that heroic little band, were the pioneers in the industries and manufactories of the state. They were first to till the soil, to plant and harvest crops from seeds carried to the Bitter Root valley from Oregon, by Father DeSmet. Near the old mission of St. Mary's near Stevensville, they built the first grist mill in 1845. The stones were imported from Antwerp, Belgium, and brought up the Columbia, thence to the Rocky mountains. In the same year they erected a primitive saw mill "cutting a whip saw into the proper shape and attaching a crank formed out of an old wagon tire." Father Ravalli wrote: "The lumber was very undulating but of great service."

The history of the industries and manufactures of Montana is like that of all primitive beginnings. Necessity was the incentive and men responded to its demands as best they could. Food they must have; therefore they began to raise wheat, potatoes, other grains and vegetables, and even fruits. They next built mills to grind the wheat into flour. Lumber was also an essential and therefore saw mills sprang up.

The first saw mill for commercial purposes in the mining districts, was erected near Banack, in December, 1862. Another was built by Thomas W. Cover and Perry W. McAdow on Granite Creek, four miles above Junction, in February, 1864. About the same time a third, situated in Alder Gulch, was constructed by George N. Stager and Company. Other mills were built soon after by Holter Bros., in Ramshorn Gulch, House and Bivins on Meadow Creek, James Gemmel on Mill Creek, and

Junius G. Sanders and Rockwell in Last Chance Gulch.

Hon W. A. Clark in his Centennial address, delivered in Philadelphia in 1876, spoke as follows of the earliest industrial beginnings of the territory:

"The principal business of this territory is mining, agriculture and stock growing; manufactories have engaged no considerable share of attention. Those embracing the production of lumber and flour may be said to almost cover the range of enterprise in this direction. A tannery was started at Mill Creek, in Madison County in 1866, using bark from the fir tree. The leather made was pronounced good in the Boston market, but for some reason the business did not pay. Hides are now cured and shipped to the eastern market and form no inconsiderable source of revenue. In 1868 a distillery was built at Helena with a capacity of five barrels per day and continued one year, making whisky from wheat, when the works not proving profitable, were closed. A foundry and machine shop, built at the same place in 1866, have been considerably enlarged and improved. Coke made from lignite mined eighteen miles west of Helena and near the very summit of the Rocky mountains at Mullan's Pass, is the fuel used. Extensive beds of lignite have been found in other localities and will in the future prove very valuable. Suitable clay for making brick abounds everywhere and many brick edifices are constructed in all the towns. Butter and cheese are manufactured to the extent of half a million dollars annually, and the excellence of these articles attests the admirable conditions of feed, climate and water, so essential to successful results.



"The first flouring mill was erected at St. Mary's mission by the Jesuits in 1845, and after the settlement of the country succeeding the discovery of gold, mills were built in several places, but in the first few years, during the never ceasing fever of excitement caused by actual and reported discoveries of gold of marvelous richness which caused stampedes almost daily in every direction, but few were found of sufficient equilibrium to be content with the reward promised in the quiet pursuit of agriculture, and not until 1869 did the production reach sufficient magnitude to supply home consumption. At this time there were seven mills in operation, giving an annual product of about forty thousand barrels and worth at that time one and one-half million dollars. \* \* \* After the home production became equal to the demand the price settled down to ten dollars and since then it has gradually receded, until now the prevailing price is about five dollars per hundred. There are at this time sixteen mills in operation part of the time and they aggregate an annual yield of about one hundred thousand barrels."

#### AGRICULTURE

In considering the industries of the state we first speak of the products of the soil. Indeed, within the past few years Montana has entered upon her fourth and greatest epoch of development,—agriculture. From the early days it was known that the valleys of the Gallatin, Madison and Jefferson rivers, the Missouri river valley, the Sun river, Judith river and Yellowstone river to the east, and the Deer Lodge, Blackfoot, Jocko, Hellgate and Bitter Root to the west of the main range of the Rocky mountains, were exceedingly fertile and capable of producing marvelous crops, but no one dreamed of the richness of the lean-looking benchlands where bunch-grass and sagebrush were practically the only vegetation.

Hon. Henry N. Blake writing of Madison county in 1876, says:

"The valleys of the county were prospected for their agricultural treasures in 1864, and the irrigated soil yielded excellent harvests."

The following from the thirteenth report of the Bureau of Agriculture, Labor and Industry of the state of Montana for the years 1911 and 1912 gives the latest available information on agriculture in this state today:

"In many states assessors are required to report the acreage in crops in their respective counties to a designated state officer who, using the acreage reports as a basis and aided by the reports from the threshermen and volunteer correspondents as to yields, is able to make an approximately correct estimate of the crop production for the current year, but as no such reports are made in this or any other office in Montana no official state statistics of crop production are available.

"The only official statistics on the subject available, other than the reports of the census office for the last decennial period, are those contained in the Year Books and in various issues of the Crop Reporter published by the United States Department of Agriculture. These estimates are based on reports made by agents of the census office at the last decennial census with a percentage of increase added in accordance with information furnished by correspondents in various parts of the state, and compilations of crop yields are made from reports from the same sources. No estimate is published of the acreage and yields by counties, the acreage, the total value of the crop, being given for the whole state. In the old, thickly settled states where the farming industry is well established fairly satisfactory results may perhaps be obtained by the system of collecting crop statistics which the Department of Agriculture has adopted, but it does not produce satisfactory results in Montana where the area of land in cultivation increases each year at a rate almost unprecedented in the history of the development of the farming regions of the United States. Under such conditions it may not be surprising that crop correspondents of the government have failed to report many thousand of acres that have been planted to crops for the first time in each of the last three years and, consequently, that the depart-

ment has not allowed for a sufficient percentage of increase. \* \* \* To estimate the acreage in staple crops to be twenty-five per cent greater than the government's figures would seem to be conservative. However, as the statistics of agriculture contained in the census reports and in the publications of the Department of Agriculture are the only official

ones available, they are given in the form of tables.

"The Department of Agriculture gave out during the last week in December an estimate of the crop production of Montana for the year 1912. The final figures, which are higher than were the preliminary estimates, are as follows:

Crop	Acres	Yield per Acre	Production in Bushels	Value
Wheat .....	803,000	24.1	19,346,000	\$12,381,000
Oats .....	447,000	48.0	22,848,000	7,997,000
Barley .....	39,000	36.5	1,424,000	755,000
Rye .....	10,000	23.5	235,000	141,000
Corn .....	24,000	25.5	612,000	428,000
Flaxseed .....	460,000	12.0	5,520,000	6,182,000
Potatoes .....	37,000	165.0	6,105,000	2,442,000
Hay .....	640,000	1.9 Tons	1,216,000	10,093,000
Total .....	2,489,000	.....	56,090,000	\$40,419,000

"In 1912 the acreage in winter wheat was 475,000, the average yield per acre 24.5 bushels, the production 11,638,000 bushels of the value December 1, 1912, of \$7,448,000. The acreage of spring wheat in 1912 was 328,000, the average yield per acre 23.5 bushels, and the production 7,708,000 bushels of the value December 1, 1912, of \$4,933,000. The acreage of both varieties of wheat was 803,000, the average yield per acre 24.1 bushels and the produc-

tion 19,346,000, bushels of the value, December 1, 1912, of \$12,381,000. The average yield of winter wheat per acre in the United States was 15.1 bushels and in Montana 24.5 bushels; the average yield per acre of spring wheat in the United States was 17.2 bushels and in Montana 23.5 bushels; of both kinds of wheat the average yield per acre in the United States was 15.9 bushels and in Montana 24.1 bushels."

#### MONTANA CROP STATISTICS FOR 1911

Crop	Acres	Yield per Acre	Production in Bushels	Value
Wheat .....	429,000	28.7	12,299,000	\$9,470,000
Oats .....	425,000	49.8	21,165,000	8,466,000
Barley .....	31,000	34.5	1,070,000	728,000
Rye .....	10,000	23.0	184,000	132,000
Corn .....	20,000	26.5	530,000	424,000
Flaxseed .....	425,000	7.7	3,272,000	5,890,000
Potatoes .....	27,000	150.0	4,050,000	2,997,000
Hay .....	605,000	2.0 Tons	1,210,000	12,100,000
Total .....	1,970,000	.....	42,570,000	\$40,207,000

A comparison of the crop statistics of 1912 with those of 1911 shows the following results:

Wheat increased 87 per cent in acreage, 57 per cent in production and 27 per cent in value.

Oats increased 12 per cent in acreage, .08 per cent in production and decreased 5 per cent in value.

Barley increased 26 per cent in acreage, 33 per cent in production and 4 per cent in value.

Rye increased 25 per cent in acreage, 28 per cent in production and 7 per cent in value.

Corn increased 20 per cent in acreage, 16 per cent in production and 1 per cent in value.

Flaxseed increased 8 per cent in acreage, 68 per cent in production and 5 per cent in value.

Potatoes increased 37 per cent in acreage, 50 per cent in production and decreased 19 per cent in value.

Hay increased 6 per cent in acreage, .005 per cent in production and decreased 17 per cent in value.

The following statistical table taken from the Thirteenth Census of the United States gives a comprehensive idea of the status of Montana as an agricultural state.

#### FARMS AND FARM PROPERTY IN MONTANA IN 1910.

Population .....	376,053
Population in 1900.....	243,329
Number of all farms .....	26,214
Number of all farms in 1900...	13,370
Color and nativity of farmers:	
Native white .....	18,165
Foreign-born white .....	6,853
Negro and other nonwhite....	1,196
Number of farms, classified by size:	
Under 3 acres.....	274
3 to 9 acres.....	229
10 to 19 acres.....	252
20 to 49 acres.....	956
50 to 99 acres.....	1,260
100 to 174 acres.....	10,552
175 to 259 acres.....	1,566
260 to 499 acres.....	6,773
500 to 999 acres.....	2,353
1,000 acres and over.....	1,999

#### LAND AND FARM AREA.

Approximate land area—acres..	93,568,640
Land in farms—acres.....	13,545,603
Land in farms in 1900—acres..	11,844,454
Improved land in farms—acres..	3,640,309

Improved land in farms in 1900	
—acres .....	1,736,701
Woodland in farms—acres.....	595,870
Other unimproved land in farms	
—acres .....	9,309,424
Per cent of land area in farms	14.5
Per cent of farm land improved	26.9
Average acres per farm.....	516.7
Average improved acres per farm	138.9

#### VALUE OF FARM PROPERTY.

All farm property.....	\$347,828,770
All farm property in 1900.....	117,859,823
Per cent increase, 1900-1910..	195.1
Land ..	\$226,771,302
Land in 1900.....	52,660,560
Buildings .....	24,854,628
Buildings in 1900.....	9,365,530
Implements and machinery.....	10,539,653
Implements, etc., in 1900.....	3,671,900
Domestic animals, poultry, and bees .....	85,663,187
Domestic animals, etc., in 1909	52,161,833
Per cent of value of all property in—	
Land .....	65.2
Buildings .....	7.1
Implements and machinery....	3.0
Domestic animals, poultry, and bees .....	24.6
Average values:	
All property per farm.....	\$13,269
Land and buildings per farm..	9,599
Land per acre.....	16.74
Land per acre in 1900.....	4.45

#### DOMESTIC ANIMALS.

##### (Farms and ranges)

Farms reporting domestic animals	23,690
Value of domestic animals.....	\$84,999,659
Cattle:	
Total number .....	943,147
Dairy cows .....	77,527
Other cows .....	372,798
Yearling heifers .....	100,784
Calves .....	82,626
Yearling steers and bulls....	90,433
Other steers and bulls.....	170,267
Value .....	\$27,474,122



## Horses:

Total number .....	315,956
Mature horses .....	251,134
Yearling colts .....	41,491
Spring colts .....	11,717
Value .....	\$27,115,764

## Mules:

Total number .....	4,174
Mature mules .....	3,021
Yearling colts .....	1,023
Spring colts .....	130
Value .....	\$445,278

## Asses and burros:

Number .....	160
Value .....	\$55,181

## Swine:

Total number .....	99,261
Mature hogs .....	56,342
Spring pigs .....	42,919
Value .....	\$858,829

## Sheep:

Total number .....	5,380,746
Rams, ewes and wethers....	4,959,835
Spring lambs .....	420,911
Value .....	\$29,028,069

## Goats:

Number .....	5,945
Value .....	\$22,416

## POULTRY AND BEES.

Number of poultry of all kinds..	966,690
Value .....	\$628,436

Number of colonies of bees.....	6,313
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Value .....	\$32,112
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Some conception of the great variety of farm products grown successfully in Montana may be gleaned by reading the following premium list of the Montana State Fair:

Class 1.—Grains and Seeds: Soft winter wheat, hard winter wheat, soft spring wheat, hard spring wheat, macaroni wheat, spring rye, winter rye, white oats, colored oats, 2-row barley, hullless barley, buckwheat, white field peas, millet seed, timothy seed, orchard grass seed, hungarian grass seed, blue grass seed, mammoth clover seed, red clover seed, flax seed, yellow dent corn, white dent corn, white

flint corn, yellow flint corn, sweet corn, pop corn, alfalfa seed, navy beans, broom grass seed, and blue joint seed.

Class 2.—Vegetables: Cucumbers, best gallon pickling cucumbers, Hubbard squashes, Boston narrow squashes, field pumpkins, largest pumpkin, largest squash, late cabbage, early cabbage, red cabbage, celery, Lima beans, string beans, cauliflower, red tomatoes, yellow tomatoes, muskmelons, citrons, watermelons, peppers, sugar cane and tobacco.

Class 3.—Root Crops: Rutabagas, flat turnips, globe turnips, carrots for table use, carrots for stock, horseradish, table beets, turnip beets, sugar beets, red mangelwurzels, yellow mangelwurzels, white mangelwurzels, parsnips, turnip radishes, winter radishes, summer radishes, red onions, yellow globe onions, white pickling onions, red onion sets, white onion sets, early white potatoes, late white potatoes, early red potatoes, late red potatoes.

Division F.—Fruit and Horticultural Products.—Apples: McIntosh, Alexander, Spitzenberg, Northern Spy, Wealthy, Duchess, Snow, Yellow Transparent, Jonathan, Gravenstein, Northwest Greening, Red Checked Pippin, King of Tompkins County, Rhode Island, Greening, Bethel, Rome Beauty, Wolf River, Bion, Baltimore, Akin, Bellefleur, crabs: peaches, apricots, pears, blue plums, yellow plums, red plums, cranberries, grapes and cider.

The surpassing excellence of Montana crops is proved by the prizes awarded them at Land Shows where they are in competition with every principal farming community of the United States.

The following from the Thirteenth Report of the Bureau of Agriculture, Labor and Industry, tells of Montana's success at the different Land Shows.

## PRIZES WON BY MONTANA EXHIBITS

Agricultural exhibits from Montana win in competition with the world whenever and wherever shown. During the years 1911 and 1912 the record of former years was maintained.

At the Dry Farming Congress of 1911 held at Colorado Springs the gold medal for the best potatoes was awarded to H. E. Murphy of Wibaux, Dawson County, and to John Forster, of Grey Cliff, Sweet Grass County, was awarded the gold medal for the best hulled barley and the gold medal for the best hullless barley.

The superior quality of the products of Montana farms was established by the exhibits at the New York Land Show held in Madison Square Garden in November, 1911. The numerous and splendid exhibits were carefully judged; and when the coveted prizes for wheat, oats, barley and alfalfa were awarded to Montana exhibitors many who read of this triumph heard for the first time that a new agricultural star had arisen in the West. The awards, which gratified but did not surprise the citizens of the state, were as follows:

The \$1,000 silver cup, donated by James J. Hill of the Great Northern Railway "for the best one hundred pounds of wheat grown in the United States in 1900" was awarded to James Todd of Geyser, Cascade County, Montana. Mr. Todd's exhibit consisted of one hundred pounds of Turkey Red Winter Wheat that was grown without irrigation. It was part of a yield of 75 bushels grown on an acre and weighed 65 pounds to the bushel.

The \$1,000 silver cup donated by A. J. Earling, president of the Chicago, Milwaukee and St. Paul Railway for "The best one hundred pounds of oats raised in the United States in 1911" was awarded to Hartman and Patton of Bozeman, Gallatin county, Montana. The oats entered by T. Menard of the same county were found to be the next best.

The \$1,500 silver cup donated by Colonel Gustav Pabst of Milwaukee for "the best bushel of barley grown in the United States in 1911" was awarded to R. Eisinga of Manhattan, Gallatin county, Montana.

The \$1,000 silver cup donated by Paul L. Van Cleve to be awarded "to the person demonstrating the best and widest uses of alfalfa as food for man and beast who shall also ex-

hibit at this exposition alfalfa meal or flour and bread and other products made therefrom," was awarded to Dr. W. X. Sudduth of Broadview, Yellowstone county, Montana.

At the Land Products Show, held at St. Paul, Minnesota, December 12 to 23, 1911, under the auspices of the Northwestern Development League, there were exhibited the best collection of land products from the states of Minnesota, North Dakota, South Dakota, Montana, Idaho, Oregon, and Washington that were ever assembled together. Competition for most of the prizes was limited to states and districts and for some to two states; but the great prizes of the show "for the best state exhibit," and for "best bushel of winter wheat grown in the American Northwest" were open to all states. The following prizes were awarded to exhibits from Montana:

The elegant cup offered by L. W. Hill for "the largest and best exhibit of products from any one state," to the State of Montana. This exhibit was collected, entered and exhibited by J. H. Hall, Commissioner of the Bureau of Agriculture, Labor, Industry and Publicity, who received the cup as the representative of the State of Montana.

The beautiful cup offered by the O'Donnell Shoe Company for "the best bushel of winter wheat in the American Northwest" was awarded to Frank Smart of Bozeman, the wheat being a part of the Gallatin county exhibit.

The cup offered by the St. Paul Association of Commerce for the best sample of barley grown in North Dakota or Montana was awarded to John Klaver of Manhattan, Montana.

The cup offered by W. A. Campbell for the "most beautiful, elaborate and attractive booth at the show" was won by the Judith Basin exhibit.

The J. J. Hill cup for the best individual display of potatoes was awarded to Pat Carney of Waterloo, Madison county.

The great prize offered at the Minneapolis Land Show of 1912 was a traction engine of the value of \$5,000 for the best five bushels of wheat grown in the American Northwest and won by Nash and Bridgeman of Clyde Park, Park county, Montana. In the same competition Montana exhibits also took second, third and fourth places.

#### HORTICULTURE

In discussing the first attempts at horticulture in Montana, Hon. W. A. Clark says in his Centennial address delivered in 1876:

"Extensive portions of the valleys are very fertile and productive of grains, vegetables and fruits. Strawberries and raspberries grow luxuriantly at almost the highest altitudes when cultivated and are growing wild in the gorges and on the tops of high mountains. The first attempts at growing the larger fruits were made in Missoula county. In 1865 apples trees, about fifty in number, were brought from Oregon or Washington Territory and transplanted in Bitter Root valley. The year following about ten thousand apple and some plum trees were brought there and sold to the farmers at one dollar each. Only about ten per cent survived the cold of the winter and are now bearing fruit. The trees had been planted in gardens where irrigation was continued too long. Kept growing until late, they were full of sap when the leaves fell and were winter-killed. Afterward they planted on the bench lands where the wood thoroughly ripens and there are now growing and beginning to produce about eight thousand trees of different varieties of apple, peach, plum, quince, and cherry and a great variety of small fruits known in American horticulture."

In comparison with this it is interesting to contrast the earliest tentative attempts at fruit growing with the modern industry which is fast coming to the front as one of the great sources of riches of the state.

Writing on this subject, M. L. Dean, State Horticulturist, writes in the Thirteenth Report of the Bureau of Agriculture, Labor and Industry of the state of Montana:

"In all mountainous countries advantages may be taken of the general contour of the country to the extent that conditions may be selected favorable to almost any industry. This is especially true from the standpoint of fruit growing in Montana. The state being traversed by mountain ranges it is possible to select almost any location desired for the purpose of growing fruit regarding altitude, soil and drainage. The phenomenal success of fruitgrowing in Montana has been due to the natural conditions of soil, water, elevation and atmospheric conditions. Frost injury is seldom manifest on the benches.

#### ALTITUDE

"It is true that altitude has much to do with the control of temperature, and some of the other conditions which help to develop our fruits. And it is also true that altitude has much to do with the quality of fruit from the standpoint of texture and color. The nearer the sea level, the softer the texture, and usually the duller the color, which makes the fruit undesirable for long shipping, and less attractive to the fastidious epicure. Consequently Montana has advantages over many fruit growing sections in that respect, as the mean elevation ranges from 2,000 to 5,000 feet. The bulk of the commercial fruit growing territory ranges in altitude from 3,000 feet to 4,500 feet, but there are some orchards producing a high quality of fruit that are located above 5,000 feet.

"The main point to be considered regarding altitude is the careful selection of varieties suitable to the different ranges of height above sea level.

"Altitude in a measure controls the clearness of atmospheric conditions, and this is very desirable in the development of clear, bright color, which is an essential factor from a commercial standpoint, and equally profitable when dessert qualities are considered, because invariably with good color we get good flavor.

#### FREEDOM FROM INSECTS AND DISEASES

"We cannot claim that Montana is free from



insect pests or diseases that are injurious to fruits of different kinds, but it is a fact that there are none of the serious pests in the orchard sections of Montana that are not absolutely controlled by the up-to-date orchardists to the extent that they are no menace to the orchards.

"There are many of the scale insects found in older developed fruit sections of the country that are unknown in Montana.

"The codling moth, which is one of the worst enemies to the fruit grower, is unknown in the orchard districts of the state. It is estimated that the loss from the codling moth or fruit worm, over the whole country covers probably from thirty to fifty per cent of the annual crop. This means a loss, and a cost of treatment of upward of \$20,000,000, if all orchards were properly sprayed to control the pest. This simply calls attention to the fact that it is of paramount importance that not only the codling moth, but all pests, should be controlled in all sections, and, if possible, their introduction prevented by rigid inspection laws.

"The codling moth is located in nearly all the towns and cities of the state where any amount of fruit is shipped in from other sections of the country. The larvae and cocoons have been brought there in the fruit boxes, and in that way distributed, but the pest has reached only a few of the orchard sections, and where such has been the case, it has been absolutely eradicated before seriously spreading through the orchards. \* \* \*

"The apple scab is one of the serious diseases which becomes a menace to the fruit growers and annually places a toll of millions of dollars on the orchardists of the country. This disease is prevalent in nearly all the orchards west of the range of mountains, but all of the first class growers control it by thoroughly spraying to the extent that it is of no serious damage to them.

"All of the fruit sections east of the Rocky Mountain range are at this time free of insects and diseases, except the green aphids."

## SOIL

The soil in the benches, which are the desirable fruit lands in Montana, is mostly of a disintegrated granite formation. In some places we find a little volcanic ash. To the casual observer, many times the soil appears to be light, stony, gravelly, and comparatively worthless, but quite the reverse is true.

Where sufficient moisture is prevalent by rain or irrigation, and good culture is given, the main difficulty is to restrain too rank a growth of tree.

It is soil that does not bake after irrigation.

## WATER

Another important factor to be considered is the abundance of water, easily available for irrigation.

Irrigation in orcharding places the growth of plant or tree under absolute control. Some seasons very little or no irrigation is used in growing orchards.

## SUNSHINE AND COLOR

Sunshine and a clear atmosphere are two necessary adjuncts for the development of high grade fruit. Bright, clear sunshine is conducive to clear, bright color. Bright sunshine is equally derogatory to the development of fungus and bacterial troubles. A bright ray of sunshine will destroy disease, spores, and germs more rapidly than the most efficient power spray outfit handled by the most expert orchardist in the country. The value of this is not always considered when fruit growing locations are desired. A bright, clear color indicates freedom from fungus troubles, and with it we always find a high development of the elements which make up the inner parts of the fruit. This develops a texture and flavor which are pleasing to the most delicate taste. This applies to all fruit grown in Montana. It is equally true in fruits grown in any of our northern states, because the highest quality in any fruit is always developed at the extreme northern latitude in which that fruit will grow and mature.



ORCHARD OF EX-SENATOR W. A. CLARK, MISSOULA.

Montana has the advantage over many other sections of the northwest in that the ripening dates of the fruit are a little later than they are nearer the coast. This is an advantage in that the large bulk of the fruit is ripened and pushed into the markets in the early part of the season, and many times creates a congested condition, but Montana's fruits being a little later in ripening, come into the market after this congested condition has cleared away, and receive an advantage regarding price.

#### VARIETIES

There is a wide range of varieties of fruit that will succeed in Montana because of the different locations which can be selected in the valleys and country tributary to the different mountain ranges, which makes a wide variation of conditions. There is not sufficient attention paid to this point when the selection of an orchard site is considered. In all known fruit sections of the world there are certain conditions that are suitable for the growing of certain varieties of the different fruits grown in those sections, and the more this point is considered and carefully studied with the one point in view to select the particular varieties suitable to those conditions, the more successful will be the operation. This fact makes it impossible for any one class, or set, of varieties to be equally adapted to all sections of the country, and every individual grower must first study his conditions carefully and then select varieties suitable to his conditions.

#### APPLES

The varieties of apples most grown in Montana are divided into classes according to the sections of the state in which they are to be grown. There are parts of the state where only the most hardy varieties should be considered. This is especially true in the northern and eastern parts of the state, but even in those sections of Montana, if the proper varieties are selected, and the orchard site located as it can be in every community, there is no county but what sufficient fruit can be grown to supply any farm home with this luxury according to their needs.

In the parts of the state considered as commercial sections, a different class of varieties is considered. Among the most hardy sorts are the Russian varieties, and many varieties that are hybrids, but in this class of fruit we do not find a high grade of dessert quality, yet if cultivated properly they are equal to any of the American varieties for culinary purposes.

The most hardy sorts grown in Montana are the Alexander, Wolf River, Anisim, Antonovaka, Duchess, Bogdanoff, Borovinka, Charlamoff, and Hiberna, all of which are Russian varieties of value. Walbridge and Okabena are two very hardy American varieties.

The earliest varieties are the Yellow Transparent and Liveland Raspberry, two varieties which should be included in every farm orchard, and when nicely grown they are valuable commercial sorts in some markets.

Some of the crab apples are very hardy and should be included in a home orchard. Among the most hardy and yet desirable crabs, are the Martha, Whitney, Early Strawberry, Minnesota, Hyslop, and Gideon, which is a very large attractive apple, though not usually considered one of the crabs.

The transparent crab is a popular variety, but its susceptibility to the blight is sufficient to bar it from the list. This is also true of the Alexander. The Russian varieties are all more or less susceptible to this dread disease.

In the commercial sections, including the Bitter Root valley, Flathead, Sanders county, parts of the Yellowstone and Carbon counties, Madison, Jefferson and Missoula counties, we find a different class of varieties including in the order of their prominence, the McIntosh, Wealthy, Northwest Greening, King, Northern Spy, Wagener, Gano, Fameuse (or Snow), Rome Beauty and Delicious. There are many other varieties that are planted, and where fruited in favorable locations, have reached a fancy development. This includes the Gravenstine, Winter Banana, Belmont, Baldwin, Grimes, Golden, Jonathan, Sweet Bough, Talman Sweet, and Bailey Sweet.

The Spitzenburg and Yellow Newton do not reach sufficient size in all sections to make



them particularly attractive, although there are a few localities where they are grown with a wonderful degree of success.

There are a great many other varieties that are grown, but these include the most prominent sorts.

#### PEARS

Among the pears those that have proven themselves best adapted to the conditions in Montana are the Anjou, Bartlett, Clapp, Clairgeau, Duchess, Flemish, Louise Bonne, Seckel, Sheldon and Winter Nelis. All of these varieties do especially well west of the range, but east of the mountains very few pears have been able to withstand the changeable conditions during the winters.

The pear industry is very remunerative in some parts of Montana as conditions are ideal for the development of a grade of fruit that will stand up under long shipment, and yet retain a high degree of quality.

#### PLUMS

In the eastern part of the state many of the American sorts, which include the wild plum, grow to perfection. Some of these have been cultivated and improved by nurserymen until a good degree of quality has been developed. In this class we find such varieties as the De Soto, Excelsior, Forest Garden, Forest Rose, Hawkeye, Rolling Stone, Weaver and Compass which is a hybrid of the Sand Cherry and Miner Plum, and which has proven particularly hardy, growing very successfully where it seems almost impossible to grow any of the other plums, and under these conditions it fills a very good purpose for jellies and canning.

West of the range where European varieties do best we find the most popular sorts to be Bradshaw, Blue Damson, Green Gage, Gold Drop, Lombard, Pond, Peach, and Yellow Egg.

Among the most desirable prunes are the German, Italian, Golden and Hungarian.

Of the Japanese plums the two most popular varieties are the Abundance and the Burbank.

#### PEACHES

In the Bitter Root valley there are locations where peaches produce annually, but the varieties are mostly seedlings that have grown from pits planted by the people living in the valley. Some of them are fairly good in quality. In a few orchards we find some good budded stock.

Around Flathead lake there are a few orchards in which can be found several varieties of peaches. In Sanders county near Plains, and west from there following the river west near Thompson Falls, Belknap and White Pine there are a few peach orchards consisting of five acres each, in which are grown some very fine Arctic, Dewey, Champion, Early Crawford, and some of the later yellow peaches, but it is uncertain about their maturing every year.

Some very choice apricots are grown in orchards on the shores of Flathead lake, the especial varieties being Gibb and Moorpark.

#### GRAPES

What has been said regarding the peach is quite true of the grape. There are several orchardists in the Bitter Root valley who have put out quite extensive plantings of the grape. Tributary to Missoula some grapes are grown on the benches and at St. Ignatius mission there is located the largest vineyard in the state, consisting of Moore's Early, Concord, and Niagara.

Grapes are not considered as holding any prominent place from a commercial standpoint in Montana, as the nights are not sufficiently hot to develop a high grade of grape sugar. They do not develop enough sweetness to become popular for dessert use, although for jellies and canning they are quite desirable.

#### CHERRIES

West of the mountain range cherries of nearly all kinds grow luxuriously and are very profitable. East of the range the conditions are not so favorable, although there are a few of the sour Russian varieties that do fairly well. West of the range the most popular varieties are the Early Richmond, Dyehouse,

Montmorency, Wragg, Olivet, and the English Morello. Among the sweet cherries the Bing and Lambert are extremely profitable and are being very largely planted. The Royal Ann does especially well, but it has rather a soft texture, hence is not so good a shipper as the aforesaid varieties.

Cherry growing is one of the most promising fruit industries in Montana at the present time. The Bings and Lambert especially are of exceptional high quality, and come onto the market following the cherries grown in western sections, which makes conditions very favorable for their bringing a good price to the growers.

Montana cherries stand up particularly well for shipping long distances, having been sent to New York and returned to Montana in good condition.

#### BUSH FRUITS—CURRANTS AND GOOSEBERRIES

Among the bush fruits the current and gooseberry thrive in all parts of Montana. The Red Cross, Cherry Currant, Versailles and Fay are prominent red varieties. The White Grape is grown by some very successfully. A few black currants are grown, the Champion being the leader.

The gooseberries that are the most successful are the American varieties, Houghton, Downing, Champion and Smith. A few of the English varieties are grown, some preferring the Keepsake and Golden Profile, but some trouble has been experienced with mildew on the English varieties.

#### BLACKBERRIES

West of the range blackberries do very well where proper locations are selected for them. Snyder, Lawton and Taylor are as successful as any in the state. In some places the Lucretia dewberry is grown with a fair degree of success.

#### RASPBERRIES

The same conditions exist with the black raspberry as does with the blackberry. Where the proper location is selected and due care given to the cultivation and care, they are quite

successful. The Gregg, Cumberland, Eureka, and Conrath are as successful as any of the varieties.

Red raspberries can be grown very generally over the state. In some parts a little winter protection is desirable. Among the reds which can be grown in nearly any place east or west of the range, the Cuthbert probably takes first place, followed by the Loudon, Kenyon and Marlboro.

A few of the purples are grown. The Columbian is best adapted to Montana conditions, although the Schaffer does fairly well.

#### STRAWBERRIES

Strawberries can be grown in any part of Montana, in fact the wild strawberry is found on the hillsides and mountains in all parts of the state, which establishes the fact beyond any question that cultivated strawberries can be grown with a good degree of success if the proper location is selected, varieties carefully chosen, and good cultural methods given them.

There is a large list of varieties, but there is one essential point that it is necessary to consider in the selection of varieties, and that is that the list should include both the perfect and the imperfect flowering sorts.

The strawberry is a very heavy feeder, and the soil should be very carefully prepared, and given good culture, if the best results are desired. There is no branch of the fruit industry that gives as good returns as does strawberry growing, especially in Montana where prices are always good, and where the berries develop a firmness of texture that permits of much longer shipping than do the same berries grown in lower altitudes.

Senator Dunlap (perfect), Haviland (imperfect), are two hardy, productive varieties. The Warfield, another imperfect variety, does very well when planted with Senator Dunlap. Wilson, one of the oldest varieties, and probably more largely grown than any other one, does especially well in Montana, but the berries are rather acid, and not so large as some of the other varieties, although for shipping long distances they are particularly valuable.

## INSPECTION

Montana has one advantage in that the state probably has the most rigid inspection laws of any state in the northwest.

All orchards and nursery stock, whether shipped into the state or from place of production, are subject to rigid inspection, and this is a means of protection to the grower which is of more value than is recognized by some growers.

Every principal distributing point in the state has a local horticultural inspector whose business it is to inspect all nursery stock delivered at that point, and also fruit that is sent there from other states. At nearly all shipping points where there is any fruit shipped there is a local inspector who frequently patrols the orchards during the growing season, and gives directions as to the best methods of controlling the insects or diseases. This gives the orchardist a protection which added to the natural conditions makes the advantages for fruit growing in Montana very prominent.

## LIVESTOCK

Although the great ranges are no more the raising of livestock remains one of the greatest industries of Montana. An authority writes:

Because of our favorable climate and mountains of lime, phosphate and other rocks, containing chemical elements necessary to soil

enrichment, Montana's farm and grazing lands will continue to hold their original fertility for centuries yet to come. This insures nutritious grasses and forage crops conducive to the development of healthy and vigorous types of animal life. Montana horses are noted for their powers of endurance. Range horses carry their riders over long distances that would scarcely be credited by persons ignorant of their splendid qualities. Montana race horses are known for records that have astonished the world, and Montana draft horses are not excelled by the draft horses of any other state.

Montana cattle reach the markets in splendid condition and command high market prices. The best quality of dairy cows are to be found in Montana, but stockmen and grain farmers find it difficult to attend to the detail work required in successful dairying. This industry will receive greater attention in the future both as a separate business and for the purpose of supplementing the cash returns from crops and from shipments of livestock.

The Secretary of the Board of Stock Commissioners in his report for 1912 says that 188,675 cattle were shipped out of the state for market and that at least 25,000 head were shipped into Montana for range purposes.

Hogs are great money makers for the farmers and are easily fed on alfalfa and clover, finishing with a few weeks on wheat, corn and barley.

ESTIMATED NUMBER, AVERAGE PRICE, AND VALUE OF FARM ANIMALS IN MONTANA,  
JANUARY 1, 1913

Compiled from the United States Crop Reporter of February, 1913

Animals.	Number.	Average Price.		Ten Year Average.	Total Value.
		1913.	1912.		
Horses .....	354,000	\$ 93.00	\$87.00	\$60.00	\$32,922,000
Mules .....	4,000	109.00	91.00	76.00	436,000
Dairy Cattle .....	95,000	61.00	49.40	40.30	5,795,000
Other Cattle .....	717,000	38.40	29.80	23.00	27,533,000
Sheep .....	5,111,000	3.70	3.30	3.30	18,911,000
Swine .....	153,000	11.90	9.90	9.60	1,821,000
Total .....	6,434,000				\$87,418,000



## HISTORY OF MONTANA

## WOOL PRODUCT OF THE UNITED STATES—1912

States and Territories.	Quality.	National Association's Estimate, Number of Sheep of Fleeces, 1912.	Average Weight of Wool Washed and Unwashed, 1912.	Per Cent of Shrinkage, 1912.	Equivalent Quantity of Scoured Wool, 1912.	Average Value per Scoured Pound.			Total Value, 1912.
						1910.	1911.	1912.	
Maine .....	10% fine, 90% medium.....	150,000	Pounds 6.25	42	Pounds 543,750	54	40	51	\$ 277,313
New Hampshire .....	25% fine, 75% medium.....	33,000	6.50	48	214,500	49	46	53	59,116
Vermont .....	20% fine, 80% medium.....	90,000	6.75	50	607,500	49	44	54	164,025
Massachusetts .....	Medium .....	23,000	6.25	42	143,750	45	42	52	43,355
Rhode Island .....	Medium .....	5,000	6.00	42	30,000	45	42	52	9,048
Connecticut .....	33% fine, 67% medium.....	15,000	5.70	42	87,500	45	43	53	26,283
New York .....	Medium .....	625,000	6.00	48	3,750,000	50	45	52	1,014,000
New Jersey .....	Medium .....	17,000	5.40	45	91,800	46	43	52	26,283
Pennsylvania .....	60% fine, 40% medium.....	650,000	6.30	47	4,095,000	55	46	54	1,171,989
Delaware .....	Medium .....	5,000	5.30	44	26,500	46	40	53	7,865
Maryland .....	Medium .....	138,000	5.70	44	729,000	45	42	53	216,345
West Virginia .....	75% fine, 25% medium.....	575,000	5.50	48	3,162,500	57	51	56	920,920
Kentucky .....	Medium .....	775,000	4.60	37	3,565,000	46	43	53	1,190,354
Ohio .....	60% fine, 40% medium.....	2,700,000	6.25	49	16,875,000	55	47	54	4,617,375
Michigan .....	25% fine, 75% medium.....	1,500,000	6.75	48	10,125,000	49	45	52	2,757,800
Indiana .....	15% fine, 85% medium.....	825,000	6.40	45	5,260,000	46	44	52	1,510,080
Illinois .....	25% fine, 75% medium.....	675,000	6.75	47	4,538,250	46	43	51	1,227,555
Wisconsin .....	20% fine, 80% medium.....	650,000	6.60	46	4,290,000	42	40	53	1,227,798
Minnesota .....	20% fine, 80% medium.....	450,000	6.75	47	3,037,500	42	40	50	804,938
Iowa .....	30% fine, 70% medium.....	850,000	6.75	48	5,737,500	46	43	54	1,612,090
Missouri .....	15% fine, 85% medium.....	1,100,000	6.75	45	7,425,000	45	39	53	2,164,388
Virginia .....	Medium .....	450,000	4.50	36	2,025,000	47	45	56	\$ 725,770
North Carolina .....	Medium .....	150,000	3.75	42	562,500	42	41	48	136,600
South Carolina .....	Medium .....	30,000	3.60	42	108,000	41	40	50	31,320
Georgia .....	Medium .....	175,000	3.75	43	656,250	41	40	52	198,253
Florida .....	Medium .....	95,000	3.25	38	308,750	41	40	50	95,713
Alabama .....	Medium .....	115,000	3.25	38	373,750	41	40	50	115,863
Mississippi .....	Medium .....	150,000	3.75	39	562,500	41	40	50	171,563
Louisiana .....	Medium .....	140,000	3.75	39	525,000	41	40	50	160,125
Arkansas .....	Medium .....	100,000	4.00	40	400,000	40	40	49	117,600
Tennessee .....	Medium .....	475,000	4.00	40	1,900,000	43	42	53	604,200
		1,880,000	3.96	39	7,421,750	4,525,478	.....	.....	\$2,376,397
		11,841,000	6.41	46.8	39,777,899	.....	.....	.....	\$21,263,070

## WOOL PRODUCT OF THE UNITED STATES—1912—(Continued)

States and Territories.	Quality.	National Association's Estimate, Number of Sheep of Shearing Age, April 1, 1912.	Average Weight of Fleece, 1912.	Wool Washed and Unwashed, 1912.	Per Cent of Shrinkage, 1912.	Equivalent Quantity of Scoured Wool, 1912.	Average Value per Scoured Pound,			Total Value, 1912.
							1910.	1911.	Oct. 1 1912.	
			Pounds	Pounds		Pounds	Cents	Cents	Cents	\$
Kansas .....	Fine, fine med., and medium.....	225,000	7.00	1,575,000	65	531,250	52	50	57	314,213
Nebraska .....	Fine, fine med., and medium.....	275,000	6.40	1,760,000	62	668,800	52	50	57	381,216
South Dakota .....	Fine, fine med., and medium.....	475,000	6.75	3,206,250	62	1,218,375	54	52	57	694,474
North Dakota .....	Fine, fine med., and medium.....	250,000	7.00	1,750,000	60	700,000	54	52	57	399,000
Montana .....	Fine, fine med., and medium.....	430,000	7.25	3,117,500	62	11,846,500	56	54	58	6,870,970
Wyoming .....	Fine, fine med., and medium.....	3,900,000	8.25	32,175,000	67	10,617,750	55	52	56	5,945,940
Idaho .....	Fine, fine med., and medium.....	2,100,000	7.40	15,540,000	64	5,594,400	52	50	57	3,188,808
Washington .....	Fine, fine med., and medium.....	400,000	9.00	3,600,000	60	1,116,000	54	52	56	624,900
Oregon .....	Fine, fine med., and medium.....	2,150,000	8.50	18,270,000	60	5,665,250	53	52	56	3,342,498
California .....	33% fall, 67% spring.....	1,760,000	7.00	11,900,000	67	3,927,000	46	42	56	2,199,120
Nevada .....	Fine, fine med., and medium.....	825,000	7.00	5,775,000	67	1,902,750	54	50	62	1,181,565
Utah .....	Fine, fine med., and medium.....	1,750,000	6.60	11,550,000	65	4,042,500	52	50	54	2,182,950
Colorado .....	Fine, fine med., and medium.....	1,200,000	6.70	8,040,000	67	2,653,200	47	45	56	1,485,792
Arizona .....	Fine, fine med., and medium.....	850,000	6.70	5,695,000	66	1,936,300	53	50	57	1,103,691
New Mexico .....	Fine, fine med., and medium.....	2,900,000	6.50	18,850,000	65	6,597,500	51	48	56	3,694,600
Texas .....	25% fall, 75% spring.....	1,400,000	6.50	9,100,000	66	3,094,000	55	52	57	1,763,580
Oklahoma and Indian Ter.	Fine, fine med., and medium.....	60,000	6.50	390,000	67	128,700	48	45	55	70,785
Totals .....		24,760,000	7.29	180,356,250	65.4	62,363,275	.....	.....	.....	\$35,444,162
Pulled Wool .....		38,481,000	6.82	262,543,400	59.3	106,506,652	51	47.7	55.4	\$53,084,229
Total Product, 1912.....		.....	.....	41,500,000	27	30,300,000	51.75	47.5	56	16,936,000
		.....	.....	304,043,400	.....	136,806,652	51.12	47.7	.....	\$76,020,229
		.....	.....	.....	.....	.....	22.23*	30.9*	.....	.....

\*Average value, unscoured.

# HISTORY OF MONTANA

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## NUMBER OF SHEEP IN THE WORLD ACCORDING TO THE MOST RECENT AVAILABLE STATISTICS AND ESTIMATES

### COUNTRY.

Number of Sheep.

#### NORTH AMERICA:

United States: Continental .....	*52,752,887	
Noncontiguous, except Philippine Islands:		
Hawaii .....	76,719	
Porto Rico.....	6,363	
Alaska .....	199	
Total.....	83,281	
Total United States.....		52,836,168
Canada .....		2,512,650
Newfoundland .....		78,052
Mexico .....		3,424,430
Central America .....		124,044
Cuba .....		9,982
British West Indies .....		27,980
Dutch West Indies .....		22,643
Guadeloupe .....		11,731
		<hr/> 6,211,512
Total North America.....		59,047,680

#### SOUTH AMERICA:

Argentina .....		77,303,517
Brazil .....		.....
Chile .....		4,224,266
Uruguay .....		26,286,296
Falkland Islands .....		724,736
Colombia .....		746,000
Other South America .....		408,327
Total South America.....		<hr/> 109,693,142

#### EUROPE:

Austria-Hungary:		
Austria .....	2,428,586	
Hungary .....	7,526,783	
Bosnia-Herzegovina .....	2,498,854	
Total .....		<hr/> 12,454,223
Belgium .....		235,722
Bulgaria .....		8,130,997
Denmark, Iceland, and Faroe Islands.....		1,319,197
Finland .....		904,447
France .....		17,110,760
Germany .....		7,703,710
Greece .....		4,568,158
Italy .....		11,162,708
Montenegro .....		400,000
Netherlands .....		889,086
Norway .....		1,393,488
Portugal .....		3,072,998
Roumania .....		5,655,444
Russia in Europe .....		†46,989,000
Saxony .....		58,185
Servia .....		3,160,166
Spain .....		15,117,105
Sweden .....		1,010,217
Switzerland .....		159,727
Turkey .....		‡6,912,568
United Kingdom, including Isle of Man, etc.....		31,082,461
All other Europe .....		26,120
Total Europe .....		<hr/> 179,516,437

\*Includes lambs.

†Includes goats.

‡Not including vilayets of Scutaria and Constantinople.



**NUMBER OF SHEEP IN THE WORLD ACCORDING TO THE MOST RECENT AVAILABLE STATISTICS AND ESTIMATES—(Continued).**

COUNTRY.	Number of Sheep.
<b>ASIA:</b>	
British India:	
British Provinces .....	23,237,546
Native States .....	3,321,366
Total .....	26,558,912
Ceylon .....	96,335
Cyprus .....	\$294,450
Japan .....	3,411
Philippine Islands .....	88,760
Russia in Asia.....	38,017,000
Turkey in Asia.....	45,000,000
Total Asia .....	**110,058,874
<b>AFRICA:</b>	
Algeria .....	9,066,916
British East Africa.....	6,000,000
German East Africa.....	1,560,000
German South Africa.....	300,722
Madagascar .....	333,454
Rhodesia .....	250,182
Soudan (Anglo-Egyptian) .....	952,950
Tunis .....	615,584
Uganda Protectorate .....	471,297
Cape of Good Hope.....	19,026,884
Natal .....	1,068,996
Orange Free State.....	7,481,251
Transvaal .....	3,170,708
All other Africa.....	1,130,335
Total Africa .....	51,429,279
<b>OCEANIA:</b>	
Australia .....	92,742,034
New Zealand .....	24,269,620
Total Australasia .....	117,011,654
Other Oceania .....	15,120
Total Oceania .....	117,026,774
Total World .....	626,872,186

§One year old and over.

\*\*No data are available for China.

**WOOL PRODUCTION OF THE WORLD.**  
From the Latest Official Returns and Estimates.  
COUNTRY.

	Wool	Pounds.
<b>NORTH AMERICA:</b>		
United States .....		302,343,400
British Provinces .....		11,210,000
Mexico .....		7,000,000
Central America and West Indies.....		1,000,000
Total North America.....		321,553,400
<b>SOUTH AMERICA:</b>		
Argentina .....		368,151,500
Brazil .....		1,130,000
Chile .....		27,745,080
Peru .....		9,940,000
Falkland Islands .....		4,324,000
Uruguay .....		138,332,375
All other South America reported.....		5,000,000
Total South America.....		554,622,955
<b>EUROPE:</b>		
United Kingdom .....		142,877,011
Austria-Hungary .....		41,600,000
France .....		78,000,000
Germany .....		25,600,000
Spain .....		52,000,000
Portugal .....		10,000,000
Greece .....		14,000,000
Italy .....		21,500,000
Russia (Europe) .....		320,000,000
Turkey and Balkan States.....		90,500,000
All other Europe.....		18,000,000
Total Europe .....		814,077,011
<b>ASIA:</b>		
British India .....		60,000,000
China .....		50,000,000
Russia (Asiatic) .....		60,000,000
Turkey (Asiatic) .....		90,000,000
Persia .....		12,146,000
All other Asia reported.....		1,000,000
Total Asia .....		273,146,000
<b>AFRICA:</b>		
Algeria .....		33,184,000
British Africa .....		125,000,000
Tunis .....		3,735,000
All other Africa reported.....		13,000,000
Total Africa .....		174,919,000
<b>OCEANIA:</b>		
Australia .....		662,845,907
New Zealand .....		169,915,939
Australasia .....		832,761,846
All other Oceania reported.....		100,000
Total Oceania .....		832,861,846
Total World .....		2,971,180,132

## HISTORY OF MONTANA

## SHEEP IN MONTANA.

YEAR.	No. Sheep Assessed.	Estimated Actual Sheep.	Pounds of Wool.	Price (Cents)
1870.....	4,212	.....	.....	.....
1871.....	6,454	.....	.....	.....
1872.....	7,541	.....	.....	.....
1873.....	10,594	.....	.....	.....
1874.....	13,947	.....	33,194	.....
1875.....	20,790	.....	53,487	.....
1876.....	51,558	.....	105,982	.....
1877.....	79,288	.....	226,274	.....
1878.....	107,261	.....	334,200	.....
1879.....	168,891	.....	593,108	.....
1880.....	249,978	.....	936,710	.....
1881.....	260,402	.....	997,394	.....
1882.....	362,776	.....	1,445,462	.....
1883.....	465,667	.....	1,831,767	.....
1884.....	593,896	.....	2,157,768	.....
1885.....	798,682	.....	2,639,319	.....
1886.....	968,298	.....	3,949,011	.....
1887.....	1,062,141	.....	.....	.....
1888.....	1,153,771	.....	4,422,030	.....
1889.....	1,180,603	.....	7,023,134	.....
1890.....	1,555,116	.....	7,783,007	.....
1891.....	1,517,753	.....	8,344,834	.....
1892.....	1,883,840	.....	10,180,941	.....
1893.....	2,254,527	.....	.....	.....
1894.....	2,228,875	.....	.....	.....
1895.....	2,605,102	.....	.....	.....
1896.....	2,815,820	.....	.....	.....
1897.....	3,120,834	.....	22,169,921	11.48
1898.....	3,146,868	.....	22,916,603	15.38
1899.....	3,483,151	.....	23,418,551	16.66
1900.....	3,703,841	.....	27,894,188	15.66
1901.....	4,126,331	.....	29,796,089	12.36
1902.....	4,568,237	.....	32,817,978	14.00
1903.....	4,818,884	.....	36,141,630	14.50
1904.....	4,138,765	5,115,532	34,500,000	15.00
1905.....	4,235,848	4,871,109	39,912,347	21.00
1906.....	4,304,333	5,103,660	37,037,549	20.00
1907.....	4,037,890	5,049,862	37,873,965	21.00
1908.....	4,173,888	5,217,360	39,130,200	15.00
1909.....	4,486,085	5,600,000	43,000,000	20.00
1910.....	4,817,492	6,000,000	43,000,000	18.00
1911.....	4,555,719	5,690,000	39,830,000	17.00
1912.....	4,311,039	5,388,798	41,000,000	20.50



The foregoing tables are taken from the Annual Wool Review, 1912, published by the National Association of Wool Manufacturers, and show the number of sheep of shearing age and the wool product of the United States, the number of sheep in the world, and the wool production of the world. The Association estimates a decrease in the number of sheep fit for shearing of 1,280,000 from 1911, also a decrease of 14,504,500 pounds of wool, exclusive of pulled wool, from last year's estimate. The scoured equivalent is a decrease of 3,029,543 pounds from last year.

The table shows that Montana had 4,300,000 sheep of shearing age, average weight of fleece 7.25 pounds, product washed and unwashed 31,175,000 pounds, per cent shrinkage 62, scoured equivalent 11,846,500 pounds, average value per pound scoured wool 58 cents, and total value of product \$6,870,970.

Montana is still the banner state for sheep. In 1912 our wool product was worth \$925,030 more than that of Wyoming, and \$3,176,370 more than the product of New Mexico, the states nearest to Montana in sheep and wool.

#### MANUFACTURING

According to the 13th census Montana had 677 manufacturing establishments operating in 1909 which gave employment to an average of 13,694 persons and during the year paid \$12,955,000 in salaries and wages and \$49,180,000 for materials. Copper refining and smelting was, by far, the most important industry in the state, but the statistics are not shown in the census, in order to avoid disclosing the operations of individual companies.

Lumbering is second in importance, and that industry gave employment to an average of 3,106 wage earners and the value of its products amounted to \$6,334,000. For the year 1912 the State Forester estimates that the total cut of timber was 275,000,000 board feet, tie timber 20,000,000 feet, and mining timber 15,000,000 feet. The above estimate includes 74,200,000 feet of lumber cut from the national forests, of which 55,911,000 feet

was cut under sale and 18,289,000 feet under free use. Montana is the leading state in the production of larch lumber.

Car and shop construction does not include repairs made at roundhouses. The industry gave employment to an average of 1,913 wage earners and the value of its products was \$2,811,000.

Malt liquors gave employment to 246 wage earners and had a production worth \$2,440,000. Measured by value added by manufacture this industry was second in importance to the lumber industry.

There were 12 flour mills reported with products valued at \$2,175,000.

In 1909 there were 135 printing and publishing establishments with an aggregate circulation per issue of 246,798 publications. The number of newspapers in the state increased to 156 in 1912.

The value of slaughtering and meat packing products was \$2,054,000. Practically all of the products were sold as fresh meat.

In addition to the industries given in the table there were 13 others which had a value of products in excess of \$100,000. The beet sugar and cement factories are treated in other parts of this report. The state produced artificial stone valued at \$223,000, dairy products, \$418,920, and gas \$189,912.

The above statistics are confined to manufacturing establishments conducted under the factory system as distinguished from the neighborhood, hand and building industries or those with a product whose value was less than \$500.

No state can offer better opportunities for investment in the manufacturing industries. Meat packing must be developed in Montana or the consumer will continue to pay the expenses of transportation to and from eastern packing houses on this important food supply. Many thousands of carloads of cattle, sheep and hogs are annually shipped to eastern markets from Montana where they are slaughtered and a large per cent of the product is shipped back to Montana. Every article of clothing worn in Montana is imported, and

yet in 1912 we shipped 31,175,000 pounds of wool to eastern markets. Splendid openings await the installation of commercial canning plants, cereal mills, creameries, cheese factories and other industries. We have high grade raw material in large quantities, an abundance of cheap power and a good market.

MONTANA MANUFACTURERS.  
(Compiled from the Thirteenth Census).

	Number and Amount.			Per Cent of Increase.	
	1900	1904	1899	1904-1900	1899-1904
Number of Establishments.....	677	382	395	77.2	—3.3
Persons engaged in manufactures.	13,694	10,196	.....	34.3	....
Proprietors and firm members	659	334	.....	97.3	....
Salaried employes .....	1,380	905	508	52.5	78.1
Wage earners (average No.)..	11,655	8,957	9,854	30.1	—9.1
Primary horse-power .....	90,402	46,736	43,679	93.4	7.0
Capital .....	\$44,588,000	\$52,590,000	\$38,225,000	—15.2	37.6
Expenses .....	66,830,000	55,140,000	39,817,000	21.2	38.5
Services .....	12,955,000	10,158,000	8,163,000	27.5	24.4
Salaries .....	2,054,000	1,506,000	786,000	36.4	91.6
Wages .....	10,901,000	8,652,000	7,377,000	26.0	17.3
Materials .....	49,180,000	40,930,000	30,068,000	20.2	36.1
Miscellaneous .....	4,695,000	4,052,000	1,586,000	15.8	155.5
Value of products.....	73,272,000	66,415,000	52,745,000	10.3	25.9
Value added by manufacturer....	24,092,000	25,485,000	22,677,000	—5.5	12.4

MONTANA MANUFACTURERS (Continued).

INDUSTRY.	Number of Establishments.	Wage Earners.		Value of Products. Amount.	Per Cent Distribution.	Value Added by Manufacture.		Primary Horse-Power
		Average Number.	Per Cent Distribution.			Amount.	Per Cent Distribution.	
Lumber and timber products.....	155	3,106	26.6	\$ 6,334,000	8.6	\$ 4,469,000	18.5	14,337
Car and general shop construction and repairs by steam railroad companies .....	12	1,913	16.4	2,811,000	3.8	1,725,000	7.2	2,670
Liquors, malt .....	21	246	2.1	2,440,000	3.2	1,838,000	7.6	2,472
Flour mill and grist mill products.....	12	105	0.9	2,175,000	3.0	482,000	2.0	2,313
Printing and publishing.....	135	691	5.9	2,111,000	2.9	1,708,000	7.1	679
Slaughtering and meat packing.....	9	105	0.9	2,054,000	2.8	273,000	1.1	316
Bread and other bakery products.....	71	214	1.8	1,096,000	1.5	478,000	2.0	109
Foundry and machine shop products.....	14	316	2.7	986,000	1.3	605,000	2.5	741
Brick and tile.....	21	189	1.6	371,000	0.5	288,000	1.2	1,135
Tobacco manufacturers .....	53	91	0.8	320,000	0.4	188,000	0.8	....
Marble and stone work.....	21	78	0.7	230,000	0.3	173,000	0.7	123
Leather goods .....	16	36	0.3	192,000	0.3	108,000	0.4	10
Copper, tin and sheet iron products.....	9	31	0.3	137,000	0.2	72,000	0.3	5
All other industries.....	128	4,534	38.9	52,015,000	71.0	11,685,000	48.5	65,492
All Industries .....	677	11,655	100.0	\$73,272,000	100.0	\$24,092,000	100.0	90,402

In addition to the industries presented separately there were thirteen others in 1909, each with products amounting to more than \$100,000, including beet sugar, smelting and refining lead and smelting and refining copper. These items appear in the table under "all other industries."

MONTANA MANUFACTURERS—1909.  
(\*Cities of more than 10,000 inhabitants.)

City.	Capital.	Total Expenses.	Cost of Material.	Value Added by Manufacture.	Value of Products.
Anaconda .....	\$ 489,381	\$ 512,639	\$157,273	\$ 433,759	\$ 591,032
Billings .....	950,501	1,177,725	764,649	478,536	1,243,185
Butte .....	1,899,366	2,082,558	919,971	1,543,869	2,463,780
Helena .....	1,980,526	1,175,574	492,827	809,898	1,302,725
Missoula .....	912,570	1,024,394	403,316	769,120	1,171,436

\*Statistics from Great Falls not given in U. S. Census Report from which this table is compiled.

## THREE FORKS PORTLAND CEMENT

The cement factory of the Three Forks Portland Cement Company is located at Trident in Gallatin county on the east bank of the river just below the point where the Missouri is formed by the union of the Gallatin, Madison and Jefferson rivers.

Recently there has been added to the plant two blending mills and a stock house with a storage capacity of 40,000 barrels.

The crusher house is located at the base of the foothills that comprise enormous deposits of hydraulic limestone. A side track has been constructed along the quarry and a locomotive hauls the cars from the workings to the mill. The material is broken down with dynamite and loaded with two steam shovels on ore cars that automatically deposit their freight into the chute above the number nine crusher.

The product is of a superior quality that shows after being set under water a tensile strength varying from 600 to 900 pounds.

The capacity of the mill is 1,500 barrels per day and up to date, the company has produced at Three Forks about 800,000 barrels of cement. The company employs 135 men for actual mill work and has a pay-roll of \$12,000 per month.

Paper of a high quality has been manufactured successfully at Manhattan from wood pulp.

Beet sugar is one of the leading manufactures of the eastern part of the state.

Sewer pipe, brick and tile are extensively produced.

The above tables and statistics will give an idea of the extent of the manufactures of Montana. This phase of its development is still in its infancy. The long distance from market; the high freight rates and enormous wages have all had their part in discouraging manufactures. However, with the rapid increase in population, the application of hydro-electric power and the additional railroad facilities, Montana will doubtless soon take her place as one of the manufacturing centers of the northwest.

Perhaps no one factor has had more to do with developing the agricultural and industrial possibilities of the state than the Montana State Fair which is held in Helena each year during the month of September. It was organized in 1903, and has grown in importance each year until now it is an event of more than local importance. In 1903 the premiums amounted to \$9,083.50, in 1912 to \$22,476.00; the receipts in 1903 were \$16,123.10, in 1912 \$40,347.60, a gain of 150 per cent in ten years; the exhibit cars unloaded were 76 in 1911 and 124 in 1912. The attendance from outside of Helena in 1912 was 10,000, and the total number of entries was 6,830.

The grains, grasses, fruits and vegetables exhibited at the last state fair and at those held previously were not surpassed in quality by the displays made at any similar exposition in the United States; and in years to come there will be even a greater number and variety of exhibits as progress is made in developing the agricultural, manufacturing and mining industries of the state.

The following comparative table is proof of Montana's growth during the decade from 1900 to 1910.

1900—Population,	243,329.
1910—Population,	376,053.
Increase	54.5 per cent.
1900—Population to square mile,	1.7.
1910—Population to square mile,	2.6.
1900—Urban population,	85,554.
1910—Urban population,	133,420.
1900—Rural population,	158,775.
1910—Rural population,	243,633.
1910—Percentage of rural population,	64.5.
1910—Percentage of urban population,	35.5.

## FARMS

1899—Value of crops,	\$10,692,515.
1909—Value of crops,	\$29,714,563.
Increase,	177.9 per cent.
1900—Number of farms,	13,720.
1910—Number of farms,	26,214.
Increase,	96.1 per cent.



1900—Value of all farm property, \$117,-859,823.

1910—Value of all farm property, \$347,-828,770.

Increase 195.1 per cent.

1900—Value of land in farms, \$52,660,560.

1910—Value of land in farms, \$226,771,302.

Increase 330.6 per cent.

1900—All land in farms—acres, 11,844,454.

1910—All land in farms—acres, 13,545,603.

1900—Improved land in farms—acres, 1,736,701.

1910—Improved land in farms—acres, 3,640,309.

Increase 109.6 per cent.

1900—Percentage of land area in farms, 12.7.

1910—Percentage of land area in farms, 14.5.

1900—Value of buildings on farms, \$9,365,-530.

1910—Value of buildings on farms, \$24,-854,628.

Increase 165.4 per cent.

1900—Value of implements and machinery, \$3,671,900.

1910—Value of implements and machinery, \$10,539,653.

Increase, 187.0 per cent.

1900—Value of live stock, \$52,161,833.

1910—Value of live stock, \$85,663,187.

Increase, 64.2 per cent.

1900—Average value per acre of all farm property, \$9.95.

1910—Average value per acre of all farm property, \$25.68.

Increase, 158.1 per cent.

1900—Average value of farm lands per acre, \$4.45.

1910—Average value of farm lands per acre, \$16.74.

Increase, 276.2 per cent.

1900—Average value of farm buildings per acre, \$0.79.

1910—Average value of farm buildings per acre, \$1.83.

Increase, 131.6 per cent.

1900—Wool production, \$4,368,230.

1910—Wool production, \$6,773,760.

1900—Average value of implements and machinery per acre, \$0.31.

1910—Average value of implements and machinery per acre, \$0.78.

Increase, 151.6 per cent.

1900—Average value of live stock per acre, \$4.40.

1910—Average value of live stock per acre, \$6.32.

Increase 43.6 per cent.

1900—Average acres per farm, 885.9.

1910—Average acres per farm, 516.7.

1900—Average improved acres per farm, 129.9.

1910—Average improved acres per farm, 138.9.

1900—Average value per farm of all property, \$8,815.

1910—Average value per farm of all property, \$13,269.

1900—Average value of land per farm, \$3,939.

1910—Average value of land per farm, \$8,651.

1900—Average value of buildings per farm \$700.

1910—Average value of buildings per farm, \$948.

1900—Average value of implements and machinery per farm, \$275.

1910—Average value of implements and machinery per farm, \$402.

1900—Average value of live stock per farm, \$3,901.

1910—Average value of live stock per farm, \$3,268.

1900—Farms operated by owners and managers, 12,140.

Percentage of total, 90.8.

1910—Farms operated by owners and managers, 23,870.

Percentage of total, 91.1.

1900—Farms operated by tenants, 1,230.

Percentage of total, 9.2.

1910—Farms operated by tenants, 2,344.

Percentage of total, 8.9.

1900—Farms free from mortgage, 9,858.

Percentage of total, 86.0.

1910—Farms free from mortgage, 18,014.

Percentage of total, 78.9.

1900—Farms mortgaged, 1,608.

Percentage of total, 14.0.

1910—Farms mortgaged, 4,820.

Percentage of total, 21.1.

1899—Number of farms irrigated, 8,043.

1909—Number of farms irrigated, 8,970.

Increase, 11.5 per cent.

1899—Number of acres irrigated, 951,154.

1909—Number of acres irrigated, 1,679,084.

Increase 76.5 per cent.

1899—Cost of irrigation systems, \$4,683,-

1909—Cost of irrigation systems, \$22,819,-  
868.

Increase 387.3 per cent.

About two-fifths of all farms in Montana are between 100 to 174 acres in size, which includes the quarter section farms, while about one-fourth are between 260 and 499 acres in size, which includes the half-section farms. Over two-thirds of the Montana farmers are native whites and more than one-fourth foreign born whites. Only 1,196, or 4.6 per cent of all farmers, are non-whites, 1,146 being Indians, 29 negroes, 17 Chinese and 4 Japanese.

## CHAPTER XXIII

### LANDS AND IRRIGATION AND THE RECLAMATION OF ARID LANDS

Montana has a land area of 146,201 square miles and therefore in point of size it is the third state in the Union. This vast superficial area may be divided roughly into three kinds of lands, mountain, grazing and farming. In each of these three classes there are reckoned to be about 30,000,000 acres.

The mountain lands produce minerals and timber and are the natural reservoirs for the water supply and hydro-electric power of the entire state.

The grazing lands form pasturage for the great live stock industry and the many other industries to which it gives rise.

The third class of lands,—agricultural,—are sub-divided into two kinds, irrigated and non-irrigated or "dry farm" lands. The possibilities of this latter variety of country which may be successfully and profitably farmed by scientific methods, give promise to revolutionize the future of the state as an agricultural empire. For many years people were deceived by the lean, colorless appearance of the soil which is, in reality, abundantly fertile and inexhausted in its strength. The following, compiled from reliable authorities, is of interest:

"The lands level enough to be cultivated with the machinery commonly used in farming operations are classified as arable lands. They have been estimated to be 30,000,000 acres, and may be compared with the 7,278,720 acres of Belgium, the 8,094,720 acres in Holland and the 9,848,320 acres in Denmark—a total of 25,221,760 acres. Massed in one body Montana's 30,000,000 acres of farm lands nearly equal Iowa's total acreage, including water surface, swamp, and bluff lands, of 35,-

856,000; Illinois contains but 36,256,000 acres; Ohio, 26,278,000; Indiana, 23,264,000, and Kentucky, 25,856,000; Montana's farm lands are as extensive as the whole surface of some great farming states; and the other two-thirds—the grazing and mountain lands—in wealth of minerals, pasture, timber and scenic magnificence surpass any similar area in the United States.

"The farm lands in Montana are in the ownership of (1) private persons; (2) the Northern Pacific Railroad; (3) the State of Montana and (4) the Government of the United States.

"The tendency is to divide large stock ranches into small tracts and offer them for sale for farms. Large grain ranches are also being sub-divided. As population increases, transportation facilities are improved and intensive cultivation becomes more general, owners who acquired large tracts at very low prices in early days find it to their advantage to sell a part of their extensive holdings and to cultivate the balance in accordance with modern methods so as to secure a fair return of the capital they have invested in land at its present valuation. These facts account, in part, for the offering for sale of some of the most productive and highly improved farm lands in Montana.

"The Northern Pacific Railroad Company received very extensive grants of land on both sides of the main line and still owns a very large acreage.

"The State of Montana was granted two sections in every township for the support of public schools, and received other large grants for public institutions. No State land can be



sold at private sale, for less than its appraised price, nor in any case for less than \$10 an acre. At times, of which notice is given, lands are offered at public sale in the county in which they are located, having previously been appraised. If there is no offer to buy the lands at the price the State has fixed as their minimum value they are then subject to lease. Hundreds of thousands of acres are under lease and yield a large revenue.

"Lands belonging to the Government, unless reserved, are subject to entry under the public land laws. Lands within reclamation projects may only be secured by complying with the regulations made under authority of the national irrigation law.

"Special acts relate to certain ceded lands within Indian reservations. The homestead law, however, is the one under which the public lands of Montana are being rapidly taken by settlers. The usual homestead is limited to 160 acres; but under the act approved February 19, 1909, providing for an enlarged homestead, 320 acres may be embraced in a claim if the land has been designated as of the character to which the act applies. The first section provides for the making of homestead entry for an area of 320 acres of non-mineral, non-timbered, non-irrigable public land in Montana and certain other states. The term "non-irrigable" is construed to mean land which, as a rule, lacks sufficient rainfall to produce agricultural crops without the necessity of resorting to unusual methods of cultivation, such as the system known as dry farming, and for which there is no known source of water supply from which such land may be successfully irrigated at a reasonable cost. Lists designating the lands subject to entry under the act are sent to the various land offices, and no entry can be allowed until such lists are received. This law is in general application throughout that portion of Montana lying east of the Continental Divide, lists having already been received at the offices covering over 26,000,000 acres. Lands entered must be reasonably compact in form and in no event exceed one and one-half miles in

length. The fees shall be the same as those now required to be paid under the homestead law, the commissions being determined by the area of land embraced in the entry. Provision is also made that an additional entry of contiguous lands in amount sufficient to make the homestead claim embrace 320 acres may be made by an entryman who has not made final proof.

"The unappropriated public lands of Montana July 1, 1911, were 32,030,646 acres; 15,293,718 acres were surveyed and 16,746,928 unsurveyed. Many townships have been surveyed during the year and a large body of land, estimated to amount to 340,000 acres that has been withdrawn under the reclamation law has been restored to entry. This tract is in the northern part of the state near Cut Bank. From time to time smaller tracts that have been withdrawn are restored to entry; and in national forests are many tracts suitable for farming on which claims may be filed under the law relating to homesteads within forest reservations. The unappropriated acres of public lands in Montana, July 1, 1908, were 46,532,440 and on July 1, 1911, 32,030,646 acres. In the three last fiscal years 14,501,794 acres of public land have been appropriated, by far the greatest part under the homestead law."

#### THE PROGRESS OF IRRIGATION IN MONTANA

There is no single factor of more importance in the development of Montana agricultural resources than irrigation. Although it has been demonstrated that dry land or scientific farming may be successfully carried on in many parts of the state, nevertheless, irrigation is the only means of converting millions of acres into profitable and valuable agricultural country. Authorities estimate that there are in the state 8,000,000 acres classified as irrigable lands.

The first farming began in the fertile valleys adjacent to mining camps, and the reason for their being was to supply the hungry white men who were delving for treasure.

As early as 1867 the productiveness of Montana's bottom lands was proved. A. K. McClure in his "Three Thousand Miles Through the Rocky Mountains," writes:

"Wheat, barley, oats, rye, and most vegetables are raised here in the valleys in wonderful perfection. It will startle eastern farmers to read that wheat fields in Montana have produced eighty bushels to the acre, but it is certainly true. Corn cannot be grown here, as the season is too short. Cattle graze out all

the winter in the valleys, and usually keep in excellent order. Last winter, however, many were lost from the uncommon severity of the weather; but during any ordinary winter the cattle will sustain themselves comfortably on the grass. Even as far north as Fort Benton they graze their stock all the year. The finest agricultural portion of the territory is still uninhabited, save by savages. The Yellowstone region has the most salubrious climate north of the Platte; and it must soon be sur-

#### UNAPPROPRIATED PUBLIC LAND IN MONTANA.

Land district and county	Area of unappropriated and unreserved.			Brief description of character of unappropriated and unreserved land.
	Surveyed.	Unsurveyed.	Total.	
	Acres.	Acres.	Acres.	
Billings:				The general character of these lands is grazing, dry farming, timber, stone and coal.
Carbon .....	336,090	69,120	405,210	
Musselshell .....	73,019	896	73,825	
Rosebud .....	397,602	165,120	562,722	
Yellowstone .....	459,351	460,800	920,151	
Total .....	1,266,062	695,846	1,961,908	
Bozeman:				Principally arid. One-third good farming land, two-thirds mountainous. One-fourth good farm land, three-fourths mountainous. Principally arid. One-fourth arid; three-fourths mountainous. One-third good farm land; two-thirds arid and mountainous. Grazing and mountainous. Arid and mountainous.
Broadwater .....	24,313	12,160	36,473	
Carbon .....	102,316	10,880	113,196	
Gallatin .....	48,507	11,139	59,446	
Jefferson .....	39,646	8,723	48,369	
Madison .....	137,770	112,682	250,452	
Park .....	92,499	1,742	94,241	
Sweet Grass .....	582,802	.....	382,802	
Yellowstone .....	33,341	.....	33,341	
Total .....	861,194	157,326	1,018,520	
Glasgow:				Grazing and farming. Agricultural and grazing.
Dawson .....	168,900	1,102,651	1,271,551	
Valley .....	2,366,735	2,746,287	5,113,022	
Total .....	2,535,635	3,848,928	6,384,573	
Great Falls:				Grazing and agri. Do. Broken, grazing land. Mountainous and Agr. Agricultural and grazing.
Cascade .....	92,980	69,060	162,040	
Chouteau .....	443,520	12,960	456,480	
Fergus .....	1,640	15,360	17,000	
Lewis and Clark.....	22,688	26,240	48,928	
Teton .....	643,200	72,603	715,803	
Total .....	1,204,028	196,223	1,400,251	

rendered by the red men, and blossom with beauty and plenty to reward the husbandman."

The earliest attempt at irrigation was by the individual farmer who built ditches and conducted the waters of near-by streams to the remoter and dryer sections of his own lands. An authority on this subject states:

"When tracts owned by several farmers were to be irrigated the advantages of co-operation were realized and all who were to be benefited united and formed a partnership or

an irrigation canal company. In labor or money each contributed his proportionate share of the cost of the enterprise and secured the right to a specific amount of water. A few companies acquired large tracts of land, brought water from a distant point, and divided the tract into farms that were sold with water rights. As population increased settlements were extended; lands within Indian reservations were ceded and occupied; railroads were constructed and by making possible the shipment of products to market en-

Land district and county.	Area unappropriated and unreserved.			Brief description of character of unappropriated and unreserved land.
	Surveyed. Acres.	Unsurveyed. Acres.	Total. Acres.	
Havre:				
Chouteau .....	1,692,680	2,009,305	3,701,985	Mountainous, grazing, agri.
Helena:				
Beaverhead .....	286,536	224,701	511,237	Mountains and grazing.
Broadwater .....	97,402	87,785	185,187	Mountainous and agricultural.
Cascade .....	13,682	14,133	27,815	Grazing and agri.
Deer Lodge .....	43,102	18,809	61,911	Mountainous, agri.
Gallatin .....	6,728	.....	6,728	Mountainous.
Granite .....	85,530	61,709	147,239	Do.
Jefferson .....	2,259	180,835	183,094	Mountainous, grazing, agri.
Lewis and Clark.....	838,377	108,333	946,710	Do.
Madison .....	348,944	617,468	966,412	Do.
Meagher .....	274,137	70,030	344,167	Do.
Park .....	6,336	20,424	26,760	Mountainous, some agri.
Powell .....	124,566	225,900	350,466	Do.
Silverbow .....	90,419	16,299	106,718	Do.
Sweet Grass .....	9,067	.....	9,067	Do.
Teton .....	34,732	75,038	109,770	
Total .....	2,261,817	1,721,464	3,983,281	
Kalispell:				
Flathead .....	133,252	960	134,212	Valleys, mountainous, timber, grazing.
Lincoln .....	3,785	.....	3,785	Mountainous, timberland.
Sanders .....	49,788	.....	49,788	Agricultural, timber, valleys and mountains.
Total .....	186,825	960	187,785	
Lewistown:				
Chouteau .....	76,608	17,234	96,842	Broken grazing.
Dawson .....	210,661	319,500	530,161	Do.
Fergus .....	910,203	1,012,000	1,922,203	Grazing, farming, timber and mountainous.
Meagher .....	27,607	31,140	58,747	Farming, grazing.
Musselshell .....	209,741	56,750	366,491	Do.
Rosebud .....	13,760	130,450	144,210	Broken, grazing.
Sweet Grass .....	40,494	.....	40,494	Farming and grazing.
Total .....	1,592,074	1,567,074	3,159,148	



Land district and county.	Area unappropriated and unreserved.			Brief description of character of unappropriated and unreserved land.
	Surveyed.	Unsurveyed.	Total.	
Miles City:	Acres.	Acres.	Acres.	
Custer .....	1,636,002	2,339,395	3,975,397	Grazing and agri.
Dawson .....	890,502	2,252,059	3,142,561	Do.
Rosebud .....	1,001,799	416,242	1,418,041	Do.
Total .....	3,528,303	5,007,696	8,535,999	
Missoula:				
Beaverhead .....	2,608	60,014	62,622	Arid and grazing.
Granite .....	26,808	13,365	41,173	Mountainous, timber, minerals.
Missoula .....	95,709	1,333,538	1,429,247	Small valleys, mountains, timber and mineral.
Powell .....	9,671	19,320	28,991	Mountains, timber, grazing and mineral.
Ravalli .....	1,357	97,654	99,011	Do.
Sanders .....	18,947	18,205	37,152	Agricultural, timber, mineral and mountainous.
Total .....	155,100	1,542,096	1,697,196	
State total .....	15,283,717	16,746,928	32,030,646	

The word arid is used in a technical sense and applies to lands where dry farming is very successful. In its literal sense there are no lands in Montana that the word arid describes.

couraged farming; and the acres irrigated by ditches owned by individuals, by partnerships, by co-operative companies and by land companies greatly increased. In the course of time the greater part of the land to which water could be brought at moderate cost became irrigated. The construction of large and costly ditches that presented engineering difficulties was not feasible with limited capital and with defective laws relating to water; capital found more attractive investments than the construction of irrigating canals in a country so sparsely settled; and some thought that the limit had been reached of the land that would be irrigated. The demand for irrigated land, however, did not cease and a public sentiment sprang up in favor of the state or federal government undertaking irrigation enterprises that were too large for private capital to engage in."

The result of this persistent and increasing demand for irrigation was the passage of an act of congress approved August 18, 1894, known as the "Carey Act." It provided that Montana and other states be given one million acres of desert land from the public domain, if the state would reclaim this land by irrigation. Accordingly, Montana having accepted the conditions of this act, a Carey Land

Act Board of the state was appointed consisting of the governor, secretary of state, attorney general and the state engineer. An assistant secretary was also provided. A prominent authority writes:

"The state itself does not reclaim the land but avails of the benefit of the law by means of contracts made with construction companies. At the request of the state the federal government segregates the tracts desired; the state then makes a contract with some reliable company to construct the necessary reservoirs and canals; when the work is completed the land is patented to the state and in turn patented to the settler who has complied with the provisions of the law. The construction company is paid the charge fixed for the water. At all times the enterprise is under the supervision of state authorities and no land is offered for sale unless an ample supply of water is assured. When the land is all disposed of the water users take control of the canals and arrange for their maintenance.

"Considerable progress has been made towards the securing of the full amount of lands Montana may obtain under the Carey Act. Segregation of lands have been asked for as follows:

List No. 1.....	Billings Project .....	10,472.88	Approved.
List No. 2.....	Big Timber Project .....	7,864.78	Approved.
List No. 3.....	Big Timber Project .....	11,153.73	Approved.
List No. 7.....	Billings Project .....	4,585.23	Approved.
List No. 8.....	Valier Project .....	60,461.41	Approved.
List No. 9.....	Big Timber Project .....	1,360.00	Approved.
List No. 10.....	Teton Project .....	55,393.83	Not Approved.
List No. 11.....	Big Timber Project.....	1,709.32	Approved.
List No. 12.....	Valier Project .....	3,596.58	Approved.
List No. 13.....	Musselshell Project .....	20,334.21	Not Approved.
List No. 14.....	Valier Project .....	21,522.15	Approved.
List No. 16.....	Ruby River Project .....	6,825.01	Not Approved.
List No. 21.....	Flatwillow Project .....	7,768.80	Not Approved.
List No. 22.....	Little Missouri Project .....	20,622.91	Not Approved.
Total .....		233,670.84	

Total acreage in lists approved .....	122,726.08
Total acreage in lists pending .....	110,944.76
Total .....	233,670.84 acres
Patented land in List No. 1.....	8,192.88 acres
Patented land in List No. 2.....	7,356.12 acres
Total acreage patented .....	15,549.00

## STATUS OF CAREY ACT LANDS NOVEMBER 30, 1912

Acres sold.		Acres unsold.	
Billings Project .....	7,716.14	Billings project .....	7,341.97
Big Timber Project .....	4,572.94	Big Timber Project .....	17,514.89
Valier Project .....	25,051.49	Valier Project .....	60,528.65
Total acreage sold .....	37,340.57	Total acreage unsold .....	85,385.51

The charge for water rights per acre is as follows: in the Billings project from \$28 to \$48 according to location; in the Valier project from \$40 to \$50; and in the Big Timber project \$60.

Applications for a large part of this acreage are awaiting the approval of the Department of the Interior of Washington. Of the lists that have been approved a large area has been fully reclaimed and is either now occupied or is ready for settlers.

"The Billings Land and Irrigation Company

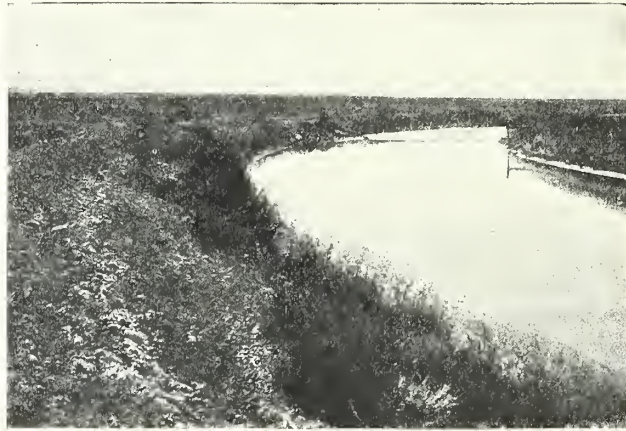
(Lists 1 and 7) was the first project that was completed. It reclaimed a large tract of fine land on the Billings bench, Yellowstone county, that is now occupied by a highly prosperous farming community. Where a few years ago there was not one farm house are now scores of dwellings on well improved farms.

"The lands in the Billings project are uncommonly fertile and have the advantages of being located close to railroad shipping points and of being near the growing city of Billings.

"The Big Timber project (Lists 2, 3, 9 and 11) has reclaimed lands on both sides of the Yellowstone river in Sweet Grass county. Big Timber on the Northern Pacific Railway is the shipping point. The northern tract embraces sunny slopes near Big Timber Creek. The whole tract is ready for patent. The entire system of reservoirs and canals is complete except for the laterals that will be dug as settlement is extended. Upon the north side system has been expended for various purposes a total of \$350,000. About 2,500 acres are settled, comfortable dwelling houses have been erected on many tracts, much land has been

not prevent his taking land under the Carey Act. The easy requirements of the law as to residence and cultivation must, of course, be met.

"The Valier project (Lists 8, 12 and 14) is located near the center of Teton county in the northern part of the state. Several reservoirs impound waters of streams in Maria's River drainage basin. The largest reservoir is Lake Frances, adjacent to the town of Valier, with a capacity of about 170,000 acre feet. About 477 miles of main canals and laterals have been built and preparations are being made to build many additional miles. Already two hundred



AN IRRIGATION DITCH.

put in cultivation and splendid crops have repaid the efforts of the settlers. Lands in this project have not long been ready for occupancy but the first comers have been so successful that there is no room to doubt that in a few years, after more settlers shall have come in, the Big Timber project will be the home of one of the most prosperous communities in the United States. The lands are adapted for fruit growing as well as farming. As in other Carey Act projects any citizen of the United States, or one who has declared his intention to become a citizen, and is over the age of 21 years may file on lands. He may enter 40 or 120 or 160 acres, and the fact that he has already used his homestead right does

and sixty settlers have purchased homes within the project; and when these lands are brought into cultivation—from Bynum or Valier and on to Conrad—a succession of fine farms will extend and form together one of the largest bodies of cultivated lands in the state.

"About 60,000 acres of Carey Act lands are now ready for settlement and open to entry in the Valier project and the company had for sale many acres of deeded irrigated land that are not subject to the requirements as to entry and residence, nor restricted as to quantity that may be secured by one person, as are the lands reclaimed under the Carey Act. The terms upon which a settler may enter a claim for the



Carey Act land in this project are the payment of 50 cents an acre, which goes to the State of Montana, and \$40 an acre to the company as payment for water. The settler has 14 years in which to pay this total of \$40.50 per acre as follows: the sum of \$5.50 per acre must accompany the application at the time the filing is made; the balance is payable in fourteen equal yearly installments, with interest at 6 per cent per annum on deferred payments.

"The lands within the Valier project are fertile and large crops are raised on all tracts that are in cultivation.

"The names of these uncompleted projects and the locations of the lands that are to be reclaimed are as follows: Teton Co-operative Reservoir Company, in Teton and Chouteau counties; Musselshell project, in Musselshell county; Ruby River project, in Madison and Beaverhead counties; Flatwillow project, in Fergus county; Little Missouri project, in Custer county.

"The next stage of development of the irrigable lands was their irrigation with water provided by the United States government.

"The government reclamation projects are undertaken under the act of June 17, 1902, known as the National Irrigation Law, which provides that money received from the sales of public lands in certain states and territories, of which Montana is one, shall be used as the reclamation fund for the construction of works necessary to irrigate arid lands and for the disposition of the land and water rights in completed projects, at the pro rata cost of construction, to actual settlers on long term payments and in quantities not exceeding 160 acres to any one person. The fund is a revolving one. As soon as one project is completed and the lands reclaimed settled upon, the replenishment of the fund begins from the payments entrymen make and it is added to every year from the same source. Payments may be divided into ten annual installments, without interest, and all money paid in goes into the general fund and is used for other projects.

"Following the passage of the act the Secre-

tary of the Interior caused to be surveyed many large tracts of land that he had reason to believe were suitable for reclamation under the terms of the national irrigation law. After investigation of many surveys a selection was made of those considered most desirable, lands were withdrawn, surveys approved, plans drawn, and the consideration of reservoirs and ditches begun. Each undertaking was designated as a Reclamation Project."

The following report by H. N. Savage, Supervising Engineer, U. S. Reclamation Service, gives the latest authentic information concerning the government reclamation projects in Montana:

Previous reports and publications of this bureau have contained discussions of the operations under the Act of June 17, 1902, known as the Reclamation Act; the development of government irrigation projects in Montana under the Reclamation Act has been outlined up to and including the year 1910. The Reclamation Act has now been in force for more than ten years, and its purposes as well as the main features of the completed and partly completed projects are well known to people of the state; it is intended in this article therefore to review briefly the present status of government irrigation in Montana and to describe the projects constructed in whole or in part and operated during the last two years.

The government reclamation projects, including the Indian projects, with a tabulated statement of expenditures to June 30, 1912, and allotment of funds, follows:

PROJECT	Building cost to June 30, 1912	Expenditures authorized June 30, 1912
Huntley . . . . .	\$ 918,034.55	\$1,205,000.00
Milk River . . . .	943,412.86	4,921,000.00
Sun River . . . . .	861,702.18	4,100,000.00
Lower Yellow- stone . . . . .	2,772,697.13	3,515,000.00

#### INDIAN RECLAMATION PROJECTS

Blackfeet . . . . .	\$596,459.13	\$650,000.00
Flathead . . . . .	946,621.47	950,000.00
Fort Peck . . . . .	196,901.87	200,000.00

Certain acts of congress approved in 1910, 1911, and 1912 have made possible greater development in irrigation works in Montana than could have been provided for under the original Reclamation Act and acts amendatory thereto up to 1910. These are:

The act of June 23, 1910—an act providing that entrymen for homesteads within reclamation projects may assign their entries upon satisfactory proof of residence, improvement and cultivation for five years, the same as though said entry had been made under the original homestead act.

The act of June 25, 1910—"an act to authorize advances to the Reclamation Fund and for the issue and disposal of certificates of indebtedness (\$20,000,000) in reimbursement therefor and for other purposes." (Under "other purposes" this act includes the repeal of section 9 of the act approved June 17, 1902, which provided that the major portion of the receipts from any state to the Reclamation Fund should be expended in that state.) (That no entry shall be hereafter made and no entryman shall be permitted to go upon lands reserved for irrigation purposes until the secretary of the interior shall have established the unit of acreage and fixed the water charges and the date when water can be applied and made public announcement of the same.)

The act of June 25, 1910—an act granting leaves of absence to homesteaders on lands to be irrigated under the provisions of the Act of June 17, 1902.

The act of April 30, 1912, for the relief of homestead entrymen under reclamation projects in the United States.

The act of June 6, 1912—the three-year homestead law.

The act of August 9, 1912, providing for patents on reclamation entries, the designation of bonded fiscal agents or offices of the Reclamation Service or reclamation projects to whom all building and other charges may be paid.

A brief statement concerning each of the government reclamation projects in Montana,

together with an abstract of essential facts in connection therewith follows:

#### HUNTLEY PROJECT

The irrigation plan of the Huntley Project provides for the diversion of water from the south side of the Yellowstone river about two miles above Huntley, Montana, into a main canal which extends down the valley about 27 miles to a point two miles east of Bull Mountain. The greater portion of the water is distributed by gravity. Fourteen miles below the headgates a pumping plant is installed, and a small portion of the water is lifted 44 feet into a high-line canal which will feed the proposed high-line equalizing reservoir. The high-line and reservoir line canals serve about 5,160 acres of land above the main canal in the vicinity of Ballantine, Anita and Pompeys Pillar.

The high-line canal reservoir, with a storage capacity of 853 acre-feet, is projected to be located in the vicinity of Anita, Montana, when constructed. The water stored in the equalizing reservoir will insure at all times a reserve supply to the reservoir line canal, which at present is fed direct from the high-line canal by a 34-foot drop.

#### CONSTRUCTION DURING 1912, UP TO JUNE 30

*Extension of Canals.* At the end of the fiscal year 1912 the construction of the extension of the project was completed, with the exception of a few minor structures, which will require only a few weeks for completion. The main canal was extended eight and one-half miles to a point about two miles east of Bull Mountain, on the Northern Pacific Railway. This extension covers approximately 1,800 acres along the south bank of the Yellowstone river, all of which will be irrigated by gravity. The high-line canal, which was extended for a distance of 5.8 miles, and the nine-mile reservoir line canal, together cover about 1,800 acres in the lower part of Fly

## DEPARTMENT OF THE INTERIOR, UNITED STATES RECLAMATION SERVICE, NORTHERN DIVISION.

## Irrigable Lands.

## United States Reclamation Service Projects.

PROJECTS.	Est. total irrigable area ..	Public Lands.			Decreed Lands (acres)	State Lands (acres)
		Entered	Unentered	Totals		
Huntley .....	32,405	20,646	8,567	29,213	3,192	.....
Lower Yellowstone .....	60,246	13,378	4,742	18,120	40,482	1,644
Milk River .....	(1) 251,113	(6) 81,745	31,620	113,365	126,486	11,262
Sun River .....	(7) 322,000	107,806	108,609	216,415	79,024	26,561
Totals .....	665,764	223,575	153,538	377,113	249,184	39,467

## United States Reclamation Service Indian Projects.

## Indian Reservation Lands

PROJECTS.	Est. total irrigable area ..	Allotted	Unallotted		Decreed Lands (acres)	State Lands (acres)
			(4)	(5)		
Blackfeet .....	122,500	70,700	(4) 51,800	122,500	.....	.....
Flathead .....	152,000	(3) 115,000	(5) 32,000	147,000	.....	5,000
Fort Peck .....	152,000	(2) 80,850	(2) 71,120	152,000	.....	.....
Totals .....	426,500	266,550	154,920	421,500	.....	5,000
GRAND TOTALS .....	1,092,264	490,155	308,458	798,613	249,184	44,467

(1) Irrigable acreage 219,557; estimate of 2-8-12.

(2) Estimated.

(3) Includes 40,000 acres entered subject to acts of Congress approved April 23, 1904, and May 29, 1908.

(4) Includes 11,000 acres outside Reservation, mostly entered subject to Reclamation Act.

(5) Open to entry subject to Acts of Congress approved April 23, 1904, and May 29, 1908.

(6) Includes 30,000 acres in Fort Belknap Indian Reservation, of which 5,000 acres have decreed water rights.

(7) Exclusive of lands under Muddy Creek Canal.

Creek valley and on the bench immediately above the main canal adjacent to Pompeys Pillar.

## SETTLEMENT AND IRRIGATION

The population of the project at the present time is approximately 2,000. The towns of Huntley, Ballantine and Pompeys Pillar are growing gradually, and Worden is making rapid progress. During the fiscal year year 66 new farm units were entered, having an area of 2,673 irrigable acres, and on June 30, 530 farm units, aggregating 23,321 irrigable acres, had been entered subject to the reclamation act, and water-right applications had been

received covering 384 irrigable acres in private ownership.

The principal crops raised during the season of 1911 were alfalfa, grain and sugarbeets, alfalfa averaging 3.7 tons per acre, with a maximum yield of nine tons per acre. The sugarbeet crop was one of the most profitable, with an average return of \$62.44 per acre, the maximum yield being 24 tons per acre. The total estimated valuation for the year, including crop returns, stock sold, and stock on hand, was \$573,600. The present indications are that the crop of 1912 will exceed in value that of 1911 by at least twenty-five per cent.

The crop returns for the past two years are shown in the following statement:

CROPS	Acreage		Value		Average value per acre	
	1910	1911	1910	1911	1910	1911
Alfalfa .....	1,468	2,678	\$40,000.00	\$ 56,644.00	\$27.25	\$21.15
Hay and forage .....	.....	1,354	.....	9,196.00	.....	6.79
Grain .....	3,629	3,747	43,000.00	55,081.00	11.85	14.70
Sugar Beets .....	1,400	3,062	87,416.00	183,168.00	62.44	59.82
Vegetables .....	286	261	17,160.00	12,668.00	60.00	48.53



The government recommends relatively small farm units, because even industrious and worthy men, unless fortified with capital and experience, are usually unable to develop the larger units and return the cost of the works in ten annual installments. The department now permits entrymen, who need or desire to do so, to subdivide their entries, retaining one or more legal subdivisions and accumulating on the retained portion all the building charges previously made on the entire area of the original entry. The average settler breaks, cultivates and irrigates about 15 acres the first year and adds about ten acres each successive year, usually sowing grain, preliminary to seeding to alfalfa. Many of the settlers, however, have secured surprising yields of sugar beets the first year on raw lands.

The total agricultural products grown in 1911 on Huntley Project irrigated lands, together with the livestock produced amounted to an average value of over \$32 per acre for every acre of irrigated land, and there also was a material increase in the value of the farm lands. With diversified crops and intensive methods of farming it is possible to realize net returns ranging from \$500 to \$2,000 a year on a forty acre tract. The *Billings Gazette* of August 13, 1912, contained the following news item:

"The Huntley Project received a real boost in the record made by M. W. Kesler, who lives on one of the forty-acre tracts on the project, one-quarter mile north of the Wheatley school, just east of the town of Huntley. He has divided his forty acres into small tracts on which he has planted a variety of crops, all of which did unusually well. Mr. Kesler did all the work on his ranch himself with the help of his eleven children, all but two of which are of school age and attended the Wheatley school, so that his labor did not cost him anything, and last fall, after he had disposed of all his crops, Mr. Kesler put \$2,385 in the Huntley bank, being the net earnings from his forty-acre tract. A total of seventeen acres were planted to sugar beets, for which

the Billings Sugar Company paid Mr. Kesler \$1,550. Mr. Kesler raised a large number of turkeys from which he received \$75, and six hogs and two cows, together with a large number of chickens. The receipts from the small garden near the house, and from the two cows, six hogs and chickens, paid all of the farmer's expense for the year."

There are eight townsites on the project, all of them being stations on either the transcontinental lines of the Chicago, Burlington & Quincy or Northern Pacific Railways, Huntley and Osborn being common to both. There are five daily trains each way, and the average distance of the average farm from a railway station is one and five-eighths miles. The domestic water supply is obtained from wells at depths of from fifteen to fifty feet. Cost of completing a well from one to two dollars per foot.

There are now fourteen school houses within the project district (bonds have recently been voted for the construction of four central high schools) and eight church organizations have been established. A number of church buildings have been erected, one costing \$4,000. Good public roads extend to all parts of the project lands, and many of the farms are connected by a telephone system which will soon include the homesteads of half of the project. A rural delivery system is in operation throughout the project, and several banks have been established.

Here is a typical example, among others on the various projects of the reclamation service, of the scientific building up of a thriving agricultural community in four years (date of first cultivation season 1908).

#### LOCATION

County: Yellowstone.

Township: 2 and 3 N., Rs. 27 to 31 E., Montana meridian.

Railroads: Northern Pacific; Chicago, Burlington & Quincy.

Railroad Stations: Huntley, Osborn, Wor-

den, Newton, Pompeys Pillar, Bull Mountain, Ballantine and Anita.

Data for Complete Project: (Estimated for uncompleted features).

Source of water supply: Yellowstone River.

Reservoir (proposed): High Line Equalizing Reservoir; capacity, 853 acre-feet.

Dam (proposed): High Line Reservoir; contents, 151,000 cubic yards of earth.

Length of canals constructed: 10 miles with capacities greater than 300 second-feet; 19 miles with capacities from 50 to 300 second-feet; 273 miles with capacities less than 50 second-feet.

Tunnels completed: Three; aggregate length, 2,654 feet.

Water power: Estimated total, 600 horsepower; 286 net horsepower developed.

Irrigable area: Entire project, 32,405 acres.

Present status of irrigable land: Entered subject to the reclamation act, 23,321 acres; open to entry 2,292 acres; in private ownership, 3,192 acres; 3,600 acres withdrawn from entry.

#### AGRICULTURAL AND CLIMATIC CONDITIONS

Area for which the service is prepared to supply water, season 1912; 28,805 acres.

Area under water right applications, season of 1912: 23,744 acres.

Average elevation of irrigable area: 3,000 feet above sea level.

Average annual rainfall on irrigable area: For six years, 12.19 inches; and for the calendar year 1911 it was 14.32 inches.

Range of temperature on irrigable area: 35 degrees to 100 degrees.

Character of soil of irrigable area: Ranges from heavy clay to light sandy loam.

Principal products: Alfalfa, oats, barley, potatoes and sugar beets.

Principal markets: Billings, Montana; St. Paul and Minneapolis, Minnesota; Denver, Colorado; Kansas City, Missouri.

#### LANDS OPENED FOR IRRIGATION

Building charge per acre of irrigable land: \$30. Additional charge of \$4 per acre to Indians. Annual operation and maintenance charge, \$0.60 per acre of irrigable land for season of 1911; \$1.00 per acre of irrigable land for season of 1912. Dates of public notices: May 21, 1907, March 3, 1909; March 13, 1912.

#### CHRONOLOGICAL SUMMARY

Reconnaissance made and preliminary surveys begun in 1904.

Construction authorized by Secretary, April 18, 1905.

First irrigation by Reclamation Service, season 1908.

Main unit completed in 1908.

Entire project 96 per cent completed June 30, 1912.

#### MILK RIVER PROJECT

On the eastern side of the Glacier National Park a few miles south of the Canadian boundary are the upper and lower St. Mary lakes, fed principally by melting snows and great permanent glaciers among the high mountain valleys and gorges. The St. Mary river flows northward from the lower lake into Hudson Bay. A few miles eastward from this river in the northwest corner of the Blackfeet Indian reservation are the sources of Milk river. Two principal forks flow northeastwards into Canada where the Milk river runs a tortuous course eastwards for a distance of more than 100 miles measured on the boundary (but much more than this by the river course), thence crossing back into the United States and flowing southeastwards and eastwards joins the Missouri about 360 miles, as the crow flies, from the head of the lakes. After a prolonged investigation and a period of negotiations, covering ten years, a treaty was made with the British government allowing the United States to divert a portion of the flow of the St. Mary river by a canal

leading into the Milk river, the water so diverted to be allowed to flow through the entire course of the Milk river in Canada so as to be available for the irrigation of a district extending more than 150 miles along its course in northern Montana. The location of the dam, which will merge the two St. Mary lakes into one reservoir with a capacity of 218,000 acre feet and a length of seventeen miles, has been determined after exhaustive investigations, including digging many test pits and putting down a great number of drill holes, some of them to a depth of 175 feet, and making experiments on percolation through the soil. This dam will have a maximum height of forty-six feet and length of half a mile. Into this reservoir it is proposed to divert Swift Current Creek, which at present joins the St. Mary river some distance below the projected dam. At the outlet of the lower of the two McDermott lakes from where the water drops some seventy-five feet it is proposed to build a concrete dam about 25 feet high for storage; also to convert the Sherburn lakes into a storage reservoir.

The irrigation plan of the project provides for the storage of water in St. Mary lakes and its diversion through a canal 28.8 miles long, heading one mile below the reservoir and discharging into the North Fork of Milk river, thence flowing through Canada for 100 miles or more and returning to the United States; the storage of water in Nelson reservoir, south of Milk river and fourteen miles northeast of Malta; the discharge of stored water into Milk river as required; the diversion of water from Milk river by dams near Chinook into four canals, two on each side of the river, for the irrigation of lands near Chinook and Harlem, comprising the Chinook division; the diversion of water from Milk river by a dam near Dodson into two canals, the north side canal irrigating lands near Dodson, Wagner and Malta, and the south side canal conveying water to Nelson reservoir and irrigating lands near Wagner, Malta, Bowdoin and Ashfield; the irrigation of lands on both sides of Milk river in the vicinity of Saco and Hinsdale from

the stored waters of Nelson reservoir, comprising the Malta division; and in the Glasgow division, the diversion of water at Vandalia Dam into a canal on the south side of Milk river for the irrigation of lands near Tampico, Glasgow and Nashua. In case the normal flow of Milk river at Vandalia Dam is not sufficient for the irrigation of lands in the Glasgow division, the stored waters in Nelson reservoir will be returned to Milk river and diverted again at Vandalia Dam.

The features of the above irrigation plan which have been completed are: The Dodson diversion dam to the height of fixed crest; Dodson Canal south headworks; eight miles of the Dodson South Canal, which will ultimately be forty-four miles in length; Point of Rocks equalizing reservoir; and foot hill and river laterals, supplying water to about 7,800 acres of land above Malta. The principal features remaining to be constructed are the St. Mary storage works and diversion canal, Nelson reservoir, Chinook diversion dam, Vandalia dam, canals and structures in the Chinook, Malta and Glasgow divisions.

#### CONSTRUCTION IN 1912, UP TO JUNE 30

On May 1, 1912, the secretary of the interior signed the vested water right contract for the adjustment of private water rights and a board of engineers was immediately convened and recommendations made covering the features to be construed with the allotted funds. Contracts were awarded for the construction of canals and structures on the first half of Dodson north unit and at the close of the fiscal year the contractors were on the ground assembling the necessary force and equipment. Drawings and specifications have been completed covering the enlargement and extension of 34 miles of Dodson South Canal from Point of Rocks to Nelson reservoir, and work is in progress on those covering the extension of Dodson North Canal from a point about two miles west of Wagner to the irrigable lands of the second unit opposite Malta; the Vandalia South Canal for a distance of



about forty miles from the diversion point to Nashua; and the lateral systems and waste water ditches under these canals.

#### SETTLEMENT AND IRRIGATION

No public notice has been issued announcing the opening of the project. Water is being delivered to patented and homesteaded lands on a rental basis.

When the land is subdued, alfalfa will be one of the staple crops, as it is now being grown successfully under private canal systems and pumping plants. Most of the soil throughout the valley is a sandy loam, well adapted to sugar beets, potatoes, and other crops requiring cultivation, and where gumbo is encountered, excellent stands of small grains and alfalfa can be raised.

#### LOCATION

Counties: Teton, Hill, Blaine and Valley.

Townships: 34 to 37 N., R. 14 W.; 34 N., R. 15 W.; 37 N., Rs. 11 to 13 W.; 27 to 33 N., Rs., 17 to 42 E. Montana meridian.

Railroads: Great Northern and Canadian Pacific.

Railroad stations and population, 1910: Browning, Havre, 3,624; Chinook, 780; Harlem, 383; Dodson; Malta, 433; Saco, 200; Hinsdale, 173; Glasgow, 1,158; and Nashua, 50; Cardston and Woolford, Canada.

#### WATER SUPPLY

Source of water supply: St. Mary lakes, Swift Current creek and Milk river.

Area of drainage basin: St. Mary lakes and Swift Current creek, 292 square miles; Milk river at Havre, 5,050 square miles; Milk river at Malta, 10,700 square miles; Milk river at Hinsdale, 17,300 square miles.

Annual run-off in acre-feet of Milk river: At Havre (5,050 square miles), 1898 to 1911—maximum, 424,000; minimum, 17,400; mean, 216,000. At Malta (10,700 square miles), 1903 to 1911—maximum, 675,000; minimum,

29,400; mean, 296,000. At Hinsdale (17,300 square miles), 1909 to 1911—maximum, 599,000; minimum, 228,000; mean, 436,000. Of St. Mary river: At Babb (177 square miles), 1902 to 1911—maximum, 535,000; minimum, 305,000; mean, 422,000. At international line (452 square miles), 1903 to 1911—maximum, 1,220,000; minimum, 511,000; mean, 764,000.

#### DATA FOR COMPLETE PROJECT

Reservoirs: St. Mary lakes—area, 6,910 acres; capacity, 124,000 acre-feet (by dredging between lakes); length of spillway, 500 feet; elevation of spillway, twenty feet above water surface of the natural lake. McDermott lakes—height of dam not determined; probable area, 540 acres; capacity, 10,000 acre-feet; length of spillway, probably 100 feet; elevation of spillway, twenty-five feet above the water surface of the natural lake. Sherburne lakes—height of dam, not determined; capacity about 30,000 acre-feet. Red Eagle lakes—height of dam, area, etc., not determined; capacity, probably about 5,000 acre-feet. Nelson reservoir—area, 6,380; capacity, 141,815 acre-feet; no spillway.

Storage dams: St. Mary lakes—type, earth fill; maximum height, 32 feet; length of crest, 2,700 feet; volume, 135,000 cubic yards. McDermott lakes—type, rubble masonry (probably); maximum height, 30 feet; length of crest, 650 feet; volume not determined. Sherburne lakes—type, earth fill; height not determined. Red Eagle lake—type, rubble masonry (probably); height not determined. Nelson reservoir—type, earth fill; maximum height, 33 feet; length of crest, 15,135 feet; volume, 911,540 cubic yards.

Diversion dams: Swift Current creek—type, earth fill backed by rock-filled timber crib; length, 2,800 feet; maximum height, 13 feet. Chinook—type and length not determined. Dodson—rock-filled timber crib, with automatic crest; maximum height, 26 feet; length, 318 feet 7 inches. Vandalia—type, reinforced concrete; height, 27 feet; length, 248 feet.

Length of canals: St. Mary canal—length, 28.8 miles; capacity, 850 second-feet. Chinook division not determined. Dodson division—44 miles with capacities greater than 800 second-feet; 110 miles with capacities from 50 to 300 second-feet; 190 miles with capacities less than 50 second-feet; Glasgow division—40 miles with capacities from 50 to 300 second-feet; 60 miles with capacities less than 50 second-feet.

Pressure pipes: There will be a double-barrel  $7\frac{1}{2}$  foot steel pipe across the St. Mary river of total length 3,300 feet, operating under a pressure head of 160 feet; a double-barrel  $6\frac{1}{2}$  foot steel pipe across Halls Coulee, of total length 1,500 feet, operating under a pressure head of 95 feet; and a 10-foot concrete pipe of total length 200 feet, operating under a pressure head of 10 feet.

Water power: For construction purposes, power plant of 800 kilowatts capacity.

Aggregate length of dikes: Dodson division (constructed) 22,700 feet.

Irrigable area: Entire project 219,557 acres (Dodson division, first unit works completed for 7,800 acres.)

Present status of irrigable land: 43,700 acres entered subject to reclamation act; 28,300 acres public lands unentered; 8,700 acres state lands; 108,857 acres in private ownership; 30,000 acres Indian lands.

#### AGRICULTURAL AND CLIMATIC CONDITIONS

Area for which the service is prepared to supply water, season 1912, 7,800 acres.

Average elevation of irrigable area, 2,200 feet above sea level.

Average elevation of St. Mary storage, 4,500 feet above sea level.

Average annual rainfall on irrigable area: For 29 years at Havre, 13.63 inches; for 6 years at Malta, 13.33 inches; 1911 at Malta, 18.30 inches.

Average annual rainfall on St. Mary storage: About 24 inches (Teton county), including the snow equivalent.

Range of temperature on irrigable area: —50 degrees to 103 degrees F.

Character of soil of irrigable area: Sandy loam and gumbo.

Principal products: Alfalfa, hay, grain, and vegetables.

Principal markets: Minneapolis and St. Paul, Minn.; local.

#### CHRONOLOGICAL SUMMARY

Reconnaissance and preliminary surveys begun by the reclamation service in 1902.

Construction authorized by secretary, March 14, 1903.

Construction of St. Mary storage unit authorized by secretary, March 25, 1905.

Construction begun July 27, 1906.

Dodson diversion dam completed in January, 1910.

Treaty with Great Britain relating to distribution between Canada and the United States of the waters of St. Mary and Milk rivers signed January 11, 1909, and proclaimed May 13, 1910.

Vested water right contract executed May 1, 1912.

Recommendation covering construction of the project approved by secretary June 12, 1912.

First unit under Dobson South canal 85 per cent completed June 30, 1912.

Entire project twelve per cent completed June 30, 1912.

#### SUN RIVER PROJECT

The Sun River Project is one of the largest as well as one of the most difficult works yet undertaken by the reclamation service. A total of 322,000 acres situated in four counties and extending seventy-five miles from the base of the rockies to Great Falls and beyond on the Missouri river may ultimately be irrigated, provided the available water supply is found to be sufficient.

Semi-arid and heretofore utilized only for grazing without water, with it, this vast tract

will be worth upwards of \$100 an acre, as it will be intensively cultivated. Eventually the lands lying near Great Falls will probably be divided into tracts of two or three acres each, and, with the building of interurban railroads, will become the homes of the Boston & Montana smelter and other city employes. Lands farther distant will be divided into forty and eighty acre units, but the ultimate average will probably not exceed forty acres to each farmstead.

The total estimated cost is upwards of \$13,000,000. The Great Northern's Great Falls-Shelby line traverses the eastern side of the project, and the stations of Manchester, Vaughn, Power and Dutton are within its boundaries. Three transcontinental railway companies are now making surveys of additional lines to or across the project, and it is certain that within the next few years transportation facilities will be unexcelled.

The irrigation plan provides for the storage of water in Sun River Storage reservoir on the north fork of Sun river; in the Willow Creek reservoir on Willow creek; in Pishkun reservoir north of Sun river; in the Muddy Creek and in Benton Lake reservoir, eight miles north of Great Falls, Mont.; the diversion of water from Bowl and Basin creeks, tributaries of Flathead river, across the Continental Divide to Sun River drainage; the diversion of water from the north fork of Sun river through supply canals for the Willow creek and Pishkun reservoirs; the diversion of flood waters from Deep creek into Benton Lake reservoir; the diversion of water from Sun river, supplemented by stored waters released from Sun River Storage and Willow Creek reservoirs, into a canal system watering lands mainly in the abandoned Fort Shaw military reservation; the diversion of water from the Pishkun reservoir into Sun River Slope canal, supplying water for lands in the Sun River valley; the diversion of water from Deep creek, supplemented by stored water released from Benton Lake reservoir into a canal system supplying water to the lands in the Sun River and Teton River valleys.

The Fort Shaw unit and the Willow Creek dam (first development) of the project are completed. Final location surveys have been made for the main canal supplying Pishkun reservoir and for the main canal supplying a part of Sun River Slope. Preliminary location surveys have been made for the main canals of the remainder of the project. Diamond drill borings have been made at the site of the proposed Sun River diversion and are now in progress at the site of the Sun River Storage dam. Topographic surveys have been made of the irrigable lands of the proposed Teton River Slope; of a portion of the lands on the Sun River Slope; for Sun River Storage, Pishkun, Willow Creek, Muddy Creek, and Benton Lake reservoirs, and are now being made for the remainder of the irrigable land on the project.

The Fort Shaw unit of this project was completed in December, 1909. It consists of a solid body of irrigable land located on the south side of Sun river, containing 17,000 acres, and is traversed by the Sun River Branch of the Great Northern Railway. This tract is twenty-five miles west of Great Falls, and 200 miles in air line northwest of the Huntley project; the opportunities, characteristics and results are similar to those of the Huntley project.

On the Fort Shaw unit during the season of 1911 the entire canal system, including 121 miles of canals and laterals, was in operation, irrigating 171 farm units, aggregating 6,892 acres. Two thousand five hundred acre-feet of water in Willow Creek reservoir was available, but was not used, as the supply from the river was sufficient. The irrigating season began April 29th and closed September 30th. Approximately 24,192 acre-feet of water was diverted, of which 11,380 acre-feet was delivered to the land.

#### SETTLEMENT AND IRRIGATION

During the past year settlement has progressed on the Fort Shaw unit, the population on the farms increasing from about



750 in 1911 to over 1,000 in 1912. During the spring of 1912 some of the settlers relinquished a portion of their irrigable area, stating that they had more than they could handle. On June 30, 1912, there were forty farm units still open to entry. On June 30, 1912, forty-eight of the sixty lots in Simms townsite which had been placed in the market had been sold and twelve of the thirty-three in Fort Shaw townsite.

#### LOCATION

Counties: Teton, Lewis and Clark, Chouteau; Cascade.

Townships: 20 to 25 N., Rs. 3 E. to 8 W., Montana Meridian.

Railroad: Great Northern.

Railroad stations: Vaughn, Power, Dutton, Collins, Largent, Fort Shaw, Simms, Riebling and Gilman.

#### WATER SUPPLY

Source of water supply: Sun river and tributaries, Deep creek, Bowl creek and Basin creek.

Area of drainage basin: Sun river, 1,070 square miles; Deep creek, 260 square miles; Bowl creek, 9 square miles; Basin creek, 15 square miles.

Annual run-off in acre-feet, 1905-1911: North fork of Sun river near Augusta—maximum, 805,000; minimum, 378,000; mean, 638,000. Willow creek, near Augusta, 1905-1911—maximum, 35,300; minimum, 7,900; mean, 18,800. Sun river, at Sun river, 1906-1911—maximum, 1,140,000; minimum, 380,000; mean, 816,000. South Fork of Sun river, near Augusta—maximum, 139,000; minimum, 20,800; mean, 72,600.

#### DATA FOR COMPLETE PROJECT

(Estimated for uncompleted features.)

Reservoirs: Willow Creek—area, 2,696 acres; capacity, 86,000 acre-feet; length of spillway, 200 feet; elevation of spillway, 100

feet above stream bed. Sun River Storage—area, 3,540 acres; capacity, 269,000 acre-feet; length of spillway, 580 feet; elevation of spillway above stream bed, 321 feet. Pishkun—area, 1,542 acres, capacity, 45,700 acre-feet. Muddy Creek—area, 1,828 acres; capacity, 33,000 acre-feet. Benton Lake—area, 9,300 acres; capacity, 144,000 acre-feet.

Storage dams: Willow Creek—type, earth fill; maximum height, 110 feet; length of crest, 1,045 feet; volume, 452,000 cubic yards. Sun River Storage—type, masonry; maximum height, 329 feet; length of crest, 989 feet; volume, 296,500 cubic feet. Pishkun—type, earth fill; maximum height, 48 feet; length of crest, 3,500 feet; volume, 440,000 cubic yards. Benton Lake—type, earth fill; maximum height, 35 feet; length of crest, 120 feet; volume, 12,000 cubic yards.

Diversion dams: Sun River—type, concrete masonry; maximum height, 140 feet; length of crest 190 feet; volume, 3,300 cubic yards. Deep creek—type, re-enforced concrete weir; maximum height, 12 feet; length of crest, 100 feet; volume, 500 cubic yards.

Length of canals: Fort Shaw unit—18 miles with capacities of from 50 to 300 second-feet; 103 miles with capacities less than 50 second-feet. Remainder of project—128 miles surveyed with capacities greater than 300 second-feet; smaller canals not located.

Tunnels: Number, 5; aggregate length, 5,224 feet.

Dikes: Number, 5; aggregate length, 22,000 feet.

Irrigable area: Entire project about 216,346 acres; Fort Shaw unit, 16,346 acres.

Present status of irrigable lands (entire project): 83,263 acres entered subject to the reclamation act; 2,585 acres open to entry; 73,803 acres withdrawn from entry; 15,165 acres of state land; 41,530 acres in private ownership.

#### AGRICULTURAL AND CLIMATIC CONDITIONS

Area for which the service is prepared to supply water, season of 1912: 16,346 acres.

Area under water right applications, season of 1912: 10,913 acres.

Average elevation of irrigable area: 3,700 feet above sea level.

Average annual rainfall on irrigable area for 24 years: 12 inches; 1911, 12.09 inches.

Range of temperature on irrigable area: 40 degrees to 100 degrees.

Character of soil of irrigable area: Sandy loam, clay, adobe, and alluvium.

Principal products: Hay, grain and vegetables.

Principal markets: Great Falls, Helena and Butte.

#### LANDS OPENED FOR IRRIGATION

Dates of public notices: March 26, 1908; November 19, 1910; March 28, 1911; March 2, 1912.

Location of lands opened: Tps. 20 and 21, N., Rs. 1 to 3, W., Montana meridian.

Present status of irrigable lands opened: 10,667 acres entered, subject to the reclamation act; 2,585 acres open to entry; 281 acres of state lands; 2,096 acres in private ownership.

Building charge per acre of irrigable land: \$30 and \$36.

Annual operation and maintenance charge: \$1 per acre of irrigable land.

#### CHRONOLOGICAL SUMMARY

Reconnaissance made and preliminary surveys begun in 1905.

Construction authorized by secretary February 26, 1906.

Fort Shaw Main Canal completed July, 1908.

First irrigation by Reclamation Service, season of 1909.

Fort Shaw Unit completed December, 1909.

Willow Creek Dam completed November 7, 1911.

Whole project 9 per cent completed June 30, 1912.

#### LOWER YELLOWSTONE PROJECT

The irrigation plan of the Lower Yellowstone Project provides for the diversion of water from the Yellowstone river at a point 18 miles below Glendive, Montana, into a canal on the west side of the river, which extends down the valley a distance of 67 miles to the confluence of the Yellowstone and Missouri rivers, conveying water for the irrigation of land lying between it and the Yellowstone river. The fall of the water which will be discharged from the main canal into lateral KK at a point 19 miles below the headgates will be utilized to operate turbines direct-connected to centrifugal pumps for raising water to irrigate approximately 3,000 acres of excellent bench land. The completed features are the Lower Yellowstone Dam and diversion works; the main canal for a distance of 61 miles and the complete lateral system in connection therewith. Sublaterals and extensions of a few main laterals will be constructed as the needs of water users require. The features for future completion are the pumping plant, the remaining 6 miles of the main canal, and about 61 miles of laterals which, when completed, will irrigate approximately 20,000 acres.

#### OPERATION AND MAINTENANCE

During the season of 1911, from May 18 to October 10, the diverting works, 61 miles of main canal, and 127 miles of laterals were operated, and 230 farm units, aggregating 21,817 acres, were irrigated; 21,799 acre-feet were delivered to irrigators.

#### SETTLEMENT AND IRRIGATION

There is very little irrigable land on the Lower Yellowstone Project open to entry, although there is a considerable area in private ownership, consisting chiefly of excess holdings, that must be disposed of under the terms of the reclamation act. During the past year twelve homesteads, covering 680 irrigable

acres and 30 tracts of land in private ownership covering 2,998 irrigable acres have been taken up.

The completion of the Missouri River Railway from Glendive to Sidney, Montana, has had a stimulating effect on business in general throughout the entire valley. There are now on its line from Glendive the six stations of Stipek, Intake, Burns, Savage, Crane and Sidney, all of which towns, together with Fairview and Mondak, show a marked increase in population and prosperity, with modern improvements and business facilities.

The Great Northern Railway Company has recently completed surveys for its new line from New Rockford to Lewistown, which will cross the Lower Yellowstone Project near Fairview, with a bridge across the Yellowstone river at this point. From Fairview the same company is constructing a line to a junction with its main east and west line at Snowden.

Of the seeded irrigable area for 1912 it is estimated that 35 per cent is in oats; 35 per cent in wheat; 15 per cent in barley; 10 per cent in alfalfa; 4 per cent in flax; and 1 per cent in various other crops.

The average return per acre in 1911 was \$14.35. The average return for the season of 1912 will be much greater.

#### LOCATION

Counties: Dawson, Montana; McKenzie, North Dakota.

Townships: 18 to 26 N., Rs. 56 to 60 E., Montana Meridian; 150 to 152 N., R. 104 W., fifth principal meridian.

Railroads: Northern Pacific, Great Northern and Missouri River Railway.

Railroad stations and population, 1910: Glendive, 2,428; Stipek, Intake, Burns, Savage, Crane, Sidney, 345; Mondak, Montana.

#### WATER SUPPLY

Source of water supply: Yellowstone river.

Area of drainage basin: 66,000 square miles.

Annual run-off in acre-feet: Yellowstone

river at Glendive, Montana, 1903-1911—Maximum, 13,300,000; minimum, 8,500,000; mean, 10,700,000.

#### DATA FOR COMPLETE PROJECT

Diversion dam: Type, rock-filled timber weir; maximum height, 12 feet; length of crest, 700 feet; length of rock fill, 700 feet; volume, 12,807 cubic yards.

Length of canals: 49 miles with capacity greater than 300 second-feet; 19 miles with capacity from 50 to 300 second-feet; 129 miles with capacity less than 50 second-feet.

Dikes: Aggregate length, 35,600 feet.

Water power: Estimated 290 horsepower, none developed.

Irrigable area: Entire project, 60,116 acres; first unit, 40,658 acres; extensions, 19,458 acres.

Present status of irrigable land: Entered subject to reclamation act, 14,058.13 acres; open to entry, 3,931.30 acres; State lands, 1,644 acres; private lands, 40,482.09 acres.

#### AGRICULTURAL AND CLIMATIC CONDITIONS

Area for which the service is prepared to deliver water, season of 1912: 37,609 acres.

Area under water-right applications, season of 1912: 29,542 acres.

Average elevation irrigable area: 1,900 feet.

Average annual rainfall on irrigable area: 16 inches.

Range of temperature on irrigable area: 46 degrees to 110 degrees F.

Character of soil of irrigable area: Chiefly deep sandy loam.

Principal products: Grain, forage crops, and vegetables.

Principal markets: Minneapolis, St. Paul, and Duluth, Minnesota; local markets consume forage crops and vegetables.

#### LANDS OPENED FOR IRRIGATION

Dates of public notices and orders: December 21, 1908; April 24, 1909; March 7, March



24, May 1, August 28 and November 8, 1911; March 1 and April 30, 1912.

Location of lands opened: Tps. 18 and 19 N., R. 57 E.; Tps. 19 and 20 N., R. 58 E.; Tps. 21, 22, 23, 24 and 25 N., R. 59 E., and Tp. 24 N., R. 60 E., Montana principal meridian. Tps. 150, 151 N., R. 104 W., fifth principal meridian.

Present status of irrigable area opened: 7,204.61 acres entered subject to the reclamation act; 779 acres open to entry; 1,504 acres State land; 31,170.48 acres private land.

Building charge per acre of irrigable land: \$42.50 and \$45. Annual operation and maintenance charge: \$1 per acre per annum for \$42.50 water right applicants and \$2.50 per acre for 1912 for \$45 water right applicants.

#### CHRONOLOGICAL SUMMARY

Reconnaissance made and preliminary surveys begun in 1903.

Construction authorized by secretary May 10, 1904.

Main canal: 61 miles completed March, 1909.

Lower Yellowstone Dam completed February, 1910.

First irrigation by Reclamation Service, season 1909.

Entire project 95 per cent completed June 30, 1912.

#### PROJECTS IN INDIAN RESERVATIONS

There are three irrigation projects well begun in the Indian Reservations of Montana. The Office of Indian Affairs is in charge of appropriations and the Reclamation Service of engineering, designs and construction. The Fort Peck Project, planned for 152,000 acres, extending 100 miles along the north bank of Missouri river and tributaries, immediately east of the Milk River Project, is yet only in the very early stage of development. Indian allotments have been made for about 90,000 acres of irrigable land; works are now completed covering 7,500 acres of allotted land.

To gain access to the work on the St. Mary diversion canal which is near the Canadian line, the Reclamation Service has been authorized to build 80 miles of road through the Blackfeet Indian Reservation, which is chiefly an open country of rolling plains, creek bottoms and coulees, grass covered—a fine grazing land, much of which is a wilderness of waiting opportunity for inhabitants and stock. The United States is employing Indians on this work as far as possible. In addition to the large number of Indians employed as laborers, there were 160 four-horse teams owned and driven by Indians employed on Reclamation work on the Blackfeet Reservation at one time this season.

#### BLACKFEET PROJECT

The Blackfeet Project begins with Lower Two Medicine Lake located partly in the southeastern corner of the Glacier National Park. A storage dam now under construction will convert this lake into a reservoir of about 854 acres in area and capacity of 16,000 acre-feet. Two other storage reservoirs with combined capacity of nearly 90,000 acre-feet are contemplated. The possible development is 122,500 acres, of which 17,000 are now developed, served by 34 miles of main canal, 75 miles of laterals and sublaterals. Fifty Indian laborers and as many Indian teams are working at Two Medicine Dam.

The irrigation plan of the Blackfeet Project provides for five irrigation systems on the Blackfeet Indian Reservation, as follows: (1) The Carlow Canal system, heading on the right bank of Cut Bank Creek and supplying water for 18,000 acres of land near Carlow and Seville; (2) the Cut Bank Canal System, heading on the left bank of Cut Bank Creek and supplying water for 20,000 acres of land north and east of the creek, 11,000 acres being outside the reservation; (3) the Two Medicine Canal System, diverting water from the left bank of Two Medicine River and supplying water through the north branch canal, the Spring Lake Reservoir, and south branch canal

to 48,000 acres of land; (4) the Badger Canal system, diverting water from the right bank of Badger Creek and supplying water direct through a feeder canal to 3,000 acres of land on Piegan Flats and through Four Horns Supply Canal and Reservoir to 33,000 acres of land between Badger and Birch Creeks; and (5) the Birch Creek Canal system, diverting from Birch Creek and supplying water to 3,500 acres of land between Birch and Blacktail Creeks. The irrigable lands of the project are located in general in the southeastern portion of the Blackfeet Indian Reservation, between Cut Bank and Birch Creeks.

#### CONSTRUCTION—TO JUNE 30, 1912

The first development of the Two Medicine Canal system has been completed, including 36 miles of main canal with headworks and other structures, and a distributing system to deliver water to approximately 24,000 acres of land. On the Badger system 12 miles of the Four Horns Supply Canal and a small distributing system of Piegan Flats have been completed. Construction is in progress on Four Horns Supply Canal headworks, structures for the Piegan Flats distributing system, and upon Two Medicine Lake Dam. The Carlow, Cut Bank, and Birch Creek units remain to be constructed on completion of the Two Medicine and Badger units.

#### LOCATION

County: Teton.

Townships: 31 to 34 N., Rs. 5 to 10 W.; 29 N., R. 8 W.; Rs. 6 to 9 W.; and 35 N., Rs. 6 and 7 W., Montana Meridian.

Railroad: Great Northern.

Railroad stations: Browning, Blackfoot, Bombay, Seville, Garnet and Cutbank.

#### WATER SUPPLY

Source of water supply: Cut Bank, Two Medicine, Badger, Birch, Whitetail and Black-

tail Creeks. Area of drainage basins: 1,700 square miles.

#### DATA FOR COMPLETE PROJECT

Reservoirs: Two Medicine Lake—Area, 854 acres; capacity, 16,000 acre-feet. Spring Lake—Area, 1,400 acres; capacity, 29,000 acre-feet. Four Horns—Area, 1,867 acres; capacity, 60,640 acre-feet.

Storage dams: Two Medicine Lake—Type, earth embankment with rock-filled log crib and reenforced concrete controlling works; maximum height, 36 feet; length of crest 900 feet. Spring Lake—Type, earth fill; maximum height, 50 feet; length of crest, 1,500 feet; volume, 75,000 cubic yards. Four Horns—Type, earth fill; maximum height, 62 feet; length of crest, 2,225 feet; volume, 149,000 cubic yards.

Diversion dams: For Badger, Birch and Cut Bank Creeks, not yet designed. Two Medicine—Type, brush and rock; maximum height, 4 feet; length of weir, 165 feet; length of earth fill, 1,000 feet.

Length of canals: 40 miles with capacities greater than 300 second-feet; 144 miles with capacities from 50 to 300 second-feet; 600 miles with capacities less than 50 second-feet.

Dikes: Aggregate length, 800 feet.

Irrigable area: Entire project, 122,500 acres; Two Medicine unit, 48,000 acres; Badger unit, 33,000 acres; Cut Bank and Carlow units, 38,000 acres; Birch unit, 3,500 acres.

Present status of irrigable land: Practically all allotted to Indians.

#### AGRICULTURAL AND CLIMATIC CONDITIONS

Area for which the Service is prepared to supply water, 10,000 acres.

Average elevation of irrigable area: 3,850 feet above sea level.

Average annual rainfall on irrigable area: 16 inches (16.13 in 1911).

Range of temperature on irrigable area: —44 degrees to 100 degrees.

Character of soil of irrigable area: Princi-

pally rich, sandy loam; some gravelly loam and gumbo.

Principal products: Hay, grain and vegetables.

Principal markets: Great Northern Railroad towns from St. Paul to the Pacific coast.

#### CHRONOLOGICAL SUMMARY

Reconnaissance and preliminary surveys made in 1907.

Construction work on the Two Medicine unit begun July, 1908.

Surveys of Two Medicine Lake Dam begun in fall of 1909.

Construction of Two Medicine Lake Dam begun in July, 1911.

Location surveys of Badger unit begun in April, 1911.

Construction on Badger unit begun in June, 1911.

Two Medicine unit 64.8 per cent completed June 30, 1912.

Badger unit 18.9 per cent completed June 30, 1912.

#### FLATHEAD (INDIAN) PROJECT

The plan of the Flathead project provides for the irrigation of about 152,000 acres of land in various parts of what was the Flathead Indian Reservation, water being diverted from creeks and rivers rising in the Mission mountains and conducted by canals directly to the land and to reservoirs for the storage of flood water. About 12 reservoirs will be constructed, the water supply being supplemented when necessary by pumping from Flathead lake. Irrigable tracts which contain the largest percentage of irrigable land allotted to the Indians, have been selected for the first development.

The following principal features have been completed: A distribution system covering approximately 5,000 acres of land north of the Jocko river, taking water from the Jocko river; a distribution system covering 6,000 acres on the south side of Jocko river, using

the Finley, Agency and Big Knife creeks and Jocko river as water supply; Mission Lateral B, covering approximately 5,000 acres of land between Mission and Post creeks; a distribution system covering 16,000 acres of land lying under the Ninepipe reservoir; and the Pablo feeder canal from Post creek to the North Pablo reservoir.

#### OPERATION AND MAINTENANCE

Irrigation began in 1910, 7,676 acre-feet of water being delivered to 1,071 acres in the Jocko division, and 2,260 acre-feet to 1,120 acres in the Mission division. In 1911, 4,470 acre-feet of water were delivered to 1,998 acres in the Jocko division; 321 acre-feet to 326 acres in the Mission division, and 46 acre-feet to 46 acres in the Post division. Up to June 30, 1912, water right applications were received covering 8,920 acres.

#### LOCATION

Counties: Flathead, Missoula, Sanders.

Townships: 15 to 25 N., Rs. 17 to 25 W., Montana meridian.

Railroad: Northern Pacific.

Railroad stations: Evaro, Arlee, Ravalli, Divon and Perma.

#### WATER SUPPLY

Source of water supply: Flathead, Jocko and Little Bitter Root rivers; Mud, Crow, Post, Mission, Dry, Finley, Agency, Big Knife and Valley creeks, and about 60 smaller streams.

Area of drainage basins: 8,000 square miles.

#### DATA FOR COMPLETE PROJECT

Reservoirs: 16; aggregate area, 117,556 acres; aggregate capacity, 1,944,970 acre-feet.

Length of canals: 14 miles with capacities greater than 300 second-feet; 82 miles with capacities from 50 to 300 second-feet; 800 miles with capacities less than 50 second-feet.



Tunnels: Aggregate length, 2,300 feet.

Water power: None as yet developed. Probability of developing about 300,000 horsepower from Flathead river and principal mountain streams.

Irrigable area: 152,000 acres, as follows: Jocko division, 16,000 acres; Mission division, 23,000 acres; Post division, 30,000 acres; Crow division, 14,000 acres; Pablo division, 40,000 acres; Polson division, 6,000 acres; Big Arm division, 3,000 acres; Little Bitter Root division, 15,000 acres; Camas division, 5,000 acres.

Present status of irrigable land: Entered under acts of Congress approved April 23, 1904, and May 29, 1908, 64,000 acres; open to entry, 8,000 acres; withdrawn from entry, none; State lands, 5,000 acres; private lands, 75,000 acres, mostly Indian allotments.

#### AGRICULTURAL CONDITIONS

Area for which the Service is prepared to supply water, season of 1912: 32,000 acres.

Average elevation of irrigable area: 2,800 feet above sea level.

Average annual rainfall on irrigable area: 15 inches.

Range of temperature on irrigable area: —30 degrees to 96 degrees F.

Character of soil of irrigable area: Varies from light sandy loam to heavy clay.

Principal products: Grain, hay, apples, vegetables, small fruits, and cattle.

Principal markets: Missoula, Butte, Anaconda, and other mining and lumber towns and camps.

Limit of area of farm units: 160 acres. Average irrigable, about 40 acres. Duty of water: Works will provide about 1.5 feet per acre per annum at the farm.

Building charges: Not fixed. Annual operation and maintenance charges: \$1 per acre-foot; minimum charge, \$1 per acre, 1911.

#### CHRONOLOGICAL SUMMARY

Reconnaissance and preliminary surveys made in 1907.

Construction authorized and first appropri-

ation made by act of Congress approved April 30, 1908.

Construction of canals, Jocko division, begun May, 1909.

Construction of Newell tunnel, Polson division, begun June, 1909.

Construction of Pablo feeder canal begun in 1910.

Construction of Kickinghorse feeder canal begun in 1911.

Kickinghorse feeder canal completed in 1912.

Per cent completed on June 30, 1912: Whole project, 15 per cent; Jocko division, 84 per cent; Mission division, 11.6 per cent; Post division, 34.7 per cent; Crow division, 3 per cent; Pablo division, 36.3 per cent; Polson division, 9.8 per cent; Big Arm division, 14.5 per cent; Little Bitter Root division, 0.4 per cent; Camas division, 0.6 per cent.

#### FORT PECK (INDIAN) PROJECT

The plan of the Fort Peck Project provides for the irrigation of about 152,000 acres of land in various parts of the Fort Peck Indian Reservation and adjacent territory, as follows: (1) 4,000 acres in the vicinity of Wiota Station, with flood water supply from the Big Porcupine creek; (2) 2,000 acres in the vicinity of Frazer, with water supply from Little Porcupine creek, conserved by storage; (3) 28,000 acres in the vicinity of Poplar and extending along Poplar river a distance of about 35 miles with water supply from Poplar river conserved by storage below the forks of Poplar river and West branch; (4) 16,000 acres lying along the west side of Big Muddy creek, with water supply from Big Muddy creek, conserved by storage on Smoke and Wolf creeks; (5) 50,000 acres of clear bench land and approximately 34,000 acres of brush and timber land extending along the Missouri river, with water supply from the Missouri river by a gravity canal heading near the site of old Fort Peck; (6) 10,000 acres known as the Galpin Bottom, lying above the Missouri river canal west of Milk river and the Fort

Peck Indian Reservation, with water supply by pumping from the Missouri River Gravity Canal, with a lift of about 20 feet; (7) 8,000 acres lying above the Missouri River Canal, east of Milk river in the Fort Peck Indian Reservation, with water supply by pumping from the Missouri River Gravity Canal, with a lift of from 10 to 20 feet.

The features of the above irrigation plan which have been completed are the Little Porcupine unit to irrigate 2,000 acres and the first division of the Poplar River unit to irrigate 5,000 acres of land.

#### LOCATION

County: Valley.

Townships: 26 to 33 N., Rs. 40 to 55 E., Montana meridian.

Railroad: Great Northern.

Railroad Stations: Wiota, Kintyre, Frazer, Oswego, Lohmiller, Wolf Point, Macon, Chelsea, Poplar, Sprole, Brockton, Calais and Blair.

#### WATER SUPPLY

Source of water supply: Missouri and Poplar rivers; Big Porcupine, Little Porcupine, Wolf, Smoke and Big Muddy creeks.

Area of drainage basins: Missouri river, 85,000 square miles; Poplar river, 3,000 square miles.

#### DATA FOR COMPLETE PROJECT

(Estimated for uncompleted features)

Storage reservoirs: Little Porcupine: Area, 390 acres; capacity, 3,900 acre-feet. Wolf Creek: Capacity, 4,550 acre-feet. Smoke Creek: Capacity, 5,300 acre-feet.

Storage dams: Little Porcupine, volume, 32,600 cubic yards of earth; 9,400 square yards brush mattress. Wolf Creek: Volume, 85,300 cubic yards of earth. Smoke Creek: Volume, 75,600 cubic yards of earth.

Diversion dams: Little Porcupine: Maximum height, 4 feet; length, 150 feet. "B

Canal" Diversion Dam: Maximum height, 4 feet; length, 300 feet. Big Muddy Diversion Dam—Three and one for Big Porcupine unit projected, but dimensions not yet determined.

Length of canals: 124 miles with capacity of over 50 second-feet.

Dike: Length, 700 feet. Siphon—under Milk river—500 feet long.

Pumping plants: Two units proposed with lifts of about 20 feet each, with canals and distributing system to cover an irrigable area of about 18,000 acres.

#### AGRICULTURAL CONDITIONS

Average elevation of irrigable area: 2,000 feet above sea level.

Average annual rainfall on irrigable area: 13 inches.

Range of temperature on irrigable area:—40 degrees to 100 degrees F.

Character of soil of irrigable area: Heavy clay and loam.

Principal products: Hay, grain and vegetables.

Principal markets: Local.

#### LANDS OPENED FOR IRRIGATION

Pending the opening of the reservation the area to be furnished with water consists of the Indian allotments. The work of allotting has been practically completed, and the area allotted in each unit as follows: Big Porcupine, 2,420 acres; Little Porcupine, 2,025 acres; Missouri Gravity Canal, 64,480 acres; Poplar River, 8,400 acres; Big Muddy, 13,360 acres.

#### CHRONOLOGICAL SUMMARY

Reconnaissance and preliminary surveys made in 1908.

Construction work on Little Porcupine unit begun September, 1909.

Construction work on Poplar system begun September, 1910.

Little Porcupine unit 98 per cent completed June 30, 1911.

All construction work on project discontinued July 31, 1911.

Although the influx of settlers into the agricultural regions of the state has been great since the last governmental statistics were issued, there are no later authentic figures at hand than those supplied by the census bureau of the United States. They are sufficient to demonstrate the marvelous growth of Montana within the last few years, as an agricultural region, and from them the following extracts are given.

"The total number of farms irrigated in 1909 was 8,970, against 8,043 in 1899, an increase of 927, or 11.5 per cent. Within the same period the number of farms in the state had increased 96.1 per cent, indicating that dry farming had a more rapid growth than irrigation during the ten years.

"The total acreage irrigated in 1909 was 1,679,084 acres, against 95,154 acres in 1899, an increase of 727,930 acres, or 76.6 per cent. During the same period the improved acreage on farms increased 109.6 per cent, indicating again the more rapid advance of dry farming. The area irrigated was 46.1 per cent of the improved land in farms in 1909 and 54.8 per cent in 1899.

"The total acreage which all enterprises were capable of irrigating in 1910 was 2,205,155, an excess of 526,071 over the area irrigated in 1909. The acreage included in projects either completed or under construction in 1910 was 3,515,602, an excess of 1,836,518 acres over area irrigated in 1909. This indicates the area which will be available within the next few years of the extension of irrigation, and shows that the area irrigated can be more than doubled without construction of additional works.

#### SUMMARY OF GENERAL IRRIGATION DATA.

	1910	1899	Increase.	
			Number or Amount.	Per cent.
Number of farms in state.....	26,214	13,370	12,844	96.1
Approximate land area of state (acres).....	93,568,640	93,568,640	.....	.....
Improved land in farms (acres).....	3,640,300	1,736,701	1,903,608	109.6
Total value of farm lands.....	\$226,771,302	\$52,660,560	\$174,110,742	330.6
Average value per acre of farm land.....	\$62.29	\$30.32	\$31.97	105.4
Number of farms irrigated.....	8,970	8,043	927	11.5
Acreage irrigated .....	1,679,084	951,154	727,930	76.5
Area enterprises were capable of supplying in 1910 .....	2,205,155	.....	.....	.....
Area included in projects.....	3,515,602	.....	.....	.....
Per cent of number of farms irrigated.....	34.2	60.2	26.0	43.2
Per cent of total land area irrigated.....	1.8	1.2	0.6	50.0
Per cent of improved land in farms irrigated..	46.1	54.8	8.7	15.9
Number of independent enterprises.....	5,534	2,902	2,632	90.7
Total length of ditches (miles).....	18,934	.....	.....	.....
Length of main ditches (miles).....	12,990	6,812	.....	.....
Length of lateral ditches (miles).....	5,944	.....	6,178	90.7
Number of reservoirs.....	917	.....	.....	.....
Capacity of reservoirs (acre-feet).....	579,953	.....	.....	.....
Number of flowing wells .....	15	.....	.....	.....
Number of pumping wells .....	10	.....	.....	.....
Number of pumping plants .....	125	.....	.....	.....
Engine capacity of pumping plants (h. p.).....	3,057	.....	.....	.....
Acreage irrigated with pumped water.....	8,023	.....	.....	.....
Acreage irrigated from flowing wells.....	207	.....	.....	.....
Total cost of irrigation systems.....	\$22,819,868	\$4,683,073	\$18,136,795	387.3
Average cost per acre.....	\$10.35	\$4.92	\$5.43	110.4
Average annual cost of operation and maintenance .....	\$0.89	\$0.28	\$0.61	217.9



"The number of independent enterprises reported in 1909 was 5,534. The total length of main ditches in 1909 was 12,990 miles, against 6,812 miles in 1899, an increase of 7,178 miles, or 90.7 per cent. The number of reservoirs reported was 917, having a combined capacity of 579,953 acre-feet. The number of wells pumped for irrigation was ten and the number of pumping plants 125. The engine capacity of pumping plants was 3,057 horsepower. The acreage irrigated with pumped water was 8,023 acres.

"The total cost of irrigation systems reported in 1910 was \$22,819,868, against \$4,683,073 in 1899, an increase of \$18,136,795, or 387.3 per cent. The average cost per acre in 1910 was \$10.35, against \$4.92 in 1899, an increase of \$5.43, or 110.4 per cent. The average cost of operation and maintenance per acre in 1909 was 89 cents, against 28 cents in 1899, an increase of 61 cents, or 217.9 per cent.

"The acreage irrigated in 1909 has been classified according to the state and federal laws under which the works were built or are operated as follows: United States reclamation service (act of congress, June 17, 1902,) 14,077 acres, or 0.84 per cent of the total; United States Indian service (various acts of congress), 67,417 acres, or four per cent of the total; irrigation districts, 4,912 acres, or 0.3 per cent; co-operative enterprises, 329,426 acres, or 19.6 per cent; commercial, 1,191,000 acres, 62,544 acres, or 3.7 per cent; individual or partnership enterprises, 1,191,060 acres, or 70.9 per cent. Works built by the United States reclamation service are to be turned over to the water users for operation and maintenance. Including these 92.3 per cent of the acreage irrigated in 1909 was supplied by works controlled by the water users.

"Streams supplied 1,632,619 acres, or 97.2 per cent of the total acreage irrigated in 1909; lakes supplied 5,622 acres, or 0.3 per cent; wells supplied 262 acres, or 0.02 per cent; springs supplied 17,967 acres, or 1.1 per cent; and reservoirs supplied 22,614 acres, or 1.3 per cent.

"These statistics show a gratifying increase in the ten year period of the number of acres under irrigation and the following statement is of special interest:

"The acreage included in projects either completed or under construction in 1910 was 3,515,602, an excess of 1,836,518 acres over area irrigated in 1909. This indicates the area which will be available within the next few years for the extension of irrigation, and shows that the area irrigated can be more than doubled without the construction of additional works."

But these works when completed will furnish water for only 3,515,602 of the 8,000,000 acres of irrigable area. There remain opportunities for large projects under the Carey act and for companies to provide irrigation systems for large stock ranches that could be more profitably devoted to farming.

"The numerous small irrigating canals which were built in early days to supply water to small tracts were constructed when labor was difficult to secure, when present day ditch-digging machinery had not been invented, when land was cheap and not in demand, when the services of an irrigation engineer were not available, and when farming was usually an incident to stock raising and there was no inducement to make a ditch carry more water than was needed at that time for the limited farming operations then carried on. Water was brought on land with less of effort and at a lower cost than in any other state. Conditions have changed; irrigated lands are in demand at a high acreage valuation, though low compared with irrigated lands in other states; and the possibilities of increasing the area that may be irrigated from the sources of water supply for the ditches constructed in early years by building reservoirs to store water which now runs to waste, by improving existing ditches, changing their course and building new ones when necessary, and by putting a stop to the very large percentage of loss of water by seepage in poorly constructed canals receive earnest consideration. Many additional acres may also be irrigated by

pumping plants that will lift water from running streams and from wells."

The work of the state in the Carey Act projects and that of the government in the various projects outlined above are of the greatest importance to the future of Montana. Although scientific farming has broadened the scope of agricultural development and rendered pro-

ductive lands otherwise of little or no value, irrigation remains the one transfiguring factor which makes the desert yield abundantly. When the plans are perfected and tens of thousands of acres are watered, Montana will take its place as one of the great agricultural sections of the United States.

## CHAPTER XXIV

### FOREST RESERVES—CONSERVATION OF NATURAL RESOURCES— HYDRO-ELECTRIC POWER\*

There are 19,275,160 acres of land embraced in the National Forests in the state of Montana. The conservation of the natural resources of this immense area is of preeminent importance. Situated as the greater part of the National Forests are, in the mountainous and timbered sections of the state, they include practically all the timber still on the public lands and a great deal of the best summer grazing lands. Perhaps no one state embraces a greater area within the vast drainage basin of the Mississippi river than Montana and certainly no other state equals Montana in the extent of mountainous timbered land at the sources of streams, the control of the run-off from which so directly affects the equality of the flow of the Father of Waters. Whatever diminishes the forest cover at the head of the streams decreases the water storing capacity of the reservoirs provided by nature for the regulation of stream flow. To allow the denudation of the forested mountains of Montana would be to invite augmentation of the disastrous flood waters which now annually carry death and destruction throughout the lower Mississippi valley and which are traceable directly to the deforestation of the watersheds of Ohio and neighboring states. It will thus be seen that for the regulation of stream flow the conservation of the forests of Montana has an influence and an interest reaching far beyond the confines

of the state and is indeed a matter of national importance.

Incidental to the maintenance of an equal flow in our streams, the matter of water power stands out prominently as deserving of consideration. Preservation of forest cover means a steadier average stream flow; this in turn assures stability in the amount of available water power, derivable from that stream flow, which when transformed into electrical energy affords an almost unlimited power resource for transportation and manufacturing purposes that when utilized will enormously reduce the consumption of coal, another matter of vital national concern. The maintenance of a maximum summer flow in our streams is of special local interest as it affects the volume of water available for irrigation upon which so much depends in Montana.

Entirely aside from the importance of our timber resources as it may affect the national welfare, it should be remembered that the mining industry which has contributed so greatly to the permanent prosperity of our state would be prostrated if deprived of a supply of timber.

The immense flocks and herds that place Montana in the forefront of meat and wool producing states must be furnished with pasturage year after year if the stock growing industry is to retain its present advanced position among our chief industries. The best of the summer pasturage is now within the national forests where intelligent regulation of its use assures a maximum permanent carrying capacity.

The national forests are administered by the Forest Service and their resources are con-

\*To Mr. D. T. Mason, of the U. S. Forestry Service, the author is indebted for the able paper on forests and conservation, and to Mr. Max Hebgren for the treatise on hydro electric power.—The latter is reprinted from the General Electric Review.



served for the highest use of all the people. A broad and liberal general policy is pursued, under which the wide national interests are safeguarded while at the same time the highest development of local industries is stimulated and encouraged.

Timber throughout the forests is for sale in any amount consistent with the keeping up of a continuous supply. In disposing of timber the needs of local communities are held

is given away free of charge. A total of about 18,000,000 feet of timber worth about \$38,000 was given away during the year ending June 30, 1912.

The grazing resources of the forests are handled with the same idea of the greatest good to the greatest number, keeping in mind all the while the thoroughly established policy of caring for home folks first by helping out local settlers and home builders when their



TIMBER CLOSE TO MISSOULA—TWENTY-TWO MILLION FEET OF LUMBER  
CUT ANNUALLY IN THIS DISTRICT.

steadily in view and none will be sold for outside markets, where the present or prospective local demand equals or closely approaches the available supply. During the year previous to June 30, 1912, approximately 56,000,000 feet of timber was cut in sales, producing an income of about \$142,000.

For the use of farmers, prospectors, and others similarly interested in the pioneer work of development, timber in sufficient quantities

prosperity is jeopardized by possible monopolistic tendencies of large operators or outside competitors. The stockmen of the West who are uniformly most successful are those who use the national forest range. This fact is coming to be so generally recognized that there is a strong demand that the use of the public range be put under similar regulation. About 700,000 head of sheep and about 150,-

ooo head of horses and cattle are grazed annually on forest range.

The waterpower available in the national forests is carefully held in governmental control for utilization free from those influences so inimical to public wellbeing and so difficult to dislodge when once in possession of valuable power franchises.

All sorts of privileges are extended to the public for the enjoyment of every part of the forests through what are called special use permits. Sanitaria, pleasure resorts, and many other sources of health and pleasure are thus made use of.

10% for the construction and improvement of wagon loads in the national forests where such roads benefit settlement and development and are approved by local county or state authorities. Thus a total of 35% of all moneys received by the government on account of the national forests returns to the localities whence it came for the furthering of education and the extension and improvement of local lines of communication. This 35% is a tidy sum to help lighten the burden of taxation on the people of those parts of the state where the forests are situated.

The following table shows the names of the



U. S. FOREST SURVEYORS IN THE CASCADES, ABOVE EAST ROSEBUD LAKE, IN THE BEAR TOOTH MOUNTAINS.

For the fiscal year ending June 30, 1912, the last fiscal year for which complete data are available, there was received by the government on account of timber cut in the national forests of Montana the sum of \$153,075.69, from grazing uses \$81,742.03, from water powers \$685.60, and from special uses \$5,698.55, a total of \$241,201.87.

Under the provisions of the federal statutes 25% of the gross revenues derived from the national forests is paid to the state in which the receipts are secured for the benefit of roads and schools in the counties in which the forests are situated, and an additional

different forests in the state, together with their areas and stands of commercial timber.

Name of Forest	Area Acres	Board Feet of Timber
Absaroka . . . . .	1,000,900	700,000,000
Beartooth . . . . .	685,000	412,500,000
Beaverhead . . . . .	1,365,000	1,510,000,000
Bitterroot . . . . .	1,155,500	4,980,000,000
Blackfeet . . . . .	1,052,800	3,406,000,000
Cabinet . . . . .	1,030,000	3,425,000,000
Custer . . . . .	590,700	300,500,000
Deerlodge . . . . .	964,000	1,205,000,000
Flathead . . . . .	2,090,000	6,305,000,000
Gallatin . . . . .	907,000	995,000,000



Name of Forest	Area Acres	Board Feet of Timber
Helena .....	936,000	907,000,000
Jefferson .....	1,249,000	1,059,000,000
Kootenai .....	1,660,000	12,000,500,000
Lewis & Clark....	828,000	1,000,000,000
Lolo .....	1,206,000	1,755,000,000
Madison .....	1,104,000	882,000,000
Missoula .....	1,335,000	3,080,000,000
Sioux .....	115,260	70,000,000
	<hr/> 19,275,160	<hr/> 43,992,500,000

It is estimated that 500,000,000 feet of timber or nearly ten times the amount now being cut, can safely be removed each year from the forests without at any time having to decrease the annual cut. Indeed, under the intensive management of trained foresters this amount can undoubtedly be considerably increased for the same reason that intensive and intelligent farm management produces larger crops than will the same land left to the whims of nature.

Without considering the almost inestimable value of this vast amount of timber for watershed protection and in other economic lines, it has, as a marketable asset, a present worth of at least \$100,000,000. The proper protection of this property from fire and other destructive agencies, to say nothing of the cost of administering it in the interests of the people, the real beneficiaries, would, as an insurance proposition, justify a far greater annual expenditure than is regularly authorized each year for all purposes of protection and administration. The entire appropriation for the Montana national forests for the fiscal year ending June 30, 1913, for these purposes was \$333,500, practically  $1\frac{3}{4}$  cents per acre. Or, on an insurance basis, about one-third of one per cent of the value of the timber at stake.

The success of the Forest Service in caring for the forests has encouraged state authorities and private owners of timber to undertake the protection of their holdings on practically the same lines. And all parties interested are now operating under co-operative agreements for the common weal.

Originally the inclusion in the national forests of many acres of land belonging to the state caused friction and severe criticism but this vexed problem has now been happily solved through the application of good business principles by the state and federal authorities under an exchange agreement whereby the state relinquishes to the United States title to its isolated tracts in the forests and selects in lieu of them public lands of the same or greater value in compact bodies both inside and outside the forests. By this arrangement all parties are benefited and all cause of conflict of interest removed.

Lands in the forests more valuable for agricultural than for forest purposes and not needed for public uses are subject to selection and location for homestead use. The Service is using every effort to make such lands available to homesteaders as rapidly as possible under the different laws relating to this subject. Prospecting for minerals is wholly unrestricted in the forests, the general policy here being the same as elsewhere, encouragement of the development of every natural resource of the forests to its highest use consistent with the accomplishment of the purposes for which congress authorizes their establishment.

The unsurpassed scenic attractions of our state, particularly of those parts within the national forests, bring here thousands of tourists every year. All these visitors are welcome and forest officers never fail to render every assistance to them in their pursuit of pleasure. The sportsman, too, finds in the wilds of the forests his paradise and he is free to go and come at will and to take whatever game the laws of the state allow.

When the policy of forest conservation was first inaugurated the people of Montana were apprehensive lest it prove injurious to individual prosperity and detrimental to the development of the state. These fears are now known to have been groundless and everywhere the friends of the Forest Service are at the fore encouraging its efforts and applaud-



ing its achievements in the grand work in which it is engaged.

We have already observed that in the snowy heights of the Rocky mountains, within the boundaries of Montana, rise mighty rivers which empty into the Atlantic and Pacific oceans and Hudson's Bay. In their abrupt descent from the Continental Divide they generate tremendous hydro-electric power. Chief among the great rivers is the Missouri. The bridling of the "Father of Waters," the method of development and the application of its power at the Great Falls is ably described in the following treatise by Mr. Max Hebgen, the well-known engineer.

#### HYDRO-ELECTRIC POWER

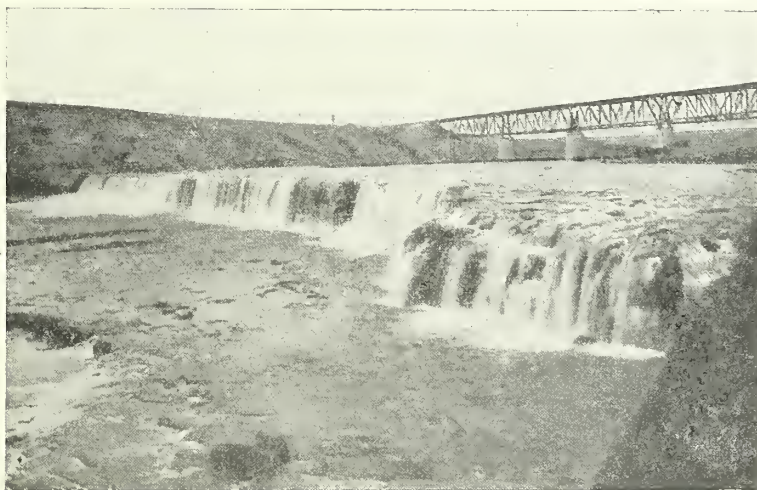
##### WATER POWER DEVELOPMENT OF THE GREAT FALLS POWER COMPANY, MONTANA

From the tower of the courthouse in the city of Great Falls you can see the spot,

in honor of the day, and in the evening \* \* \* as is usual among the men in all festivals, the fiddle was produced and the dance began which lasted till 9 o'clock, when it was interrupted by a heavy shower of rain."

On their way up the Missouri the explorers had heard from the Indians about the great falls. They were eager to reach the scene. The story of what happened, as a part of their experience for June 13th, says that Captain Lewis "had gone about two miles when his ears were saluted with the agreeable sound of a fall of water." Towards the place whence the sound came he directed his steps, and the noise increasing as he approached soon became too tremendous to be mistaken for anything but the great falls of the Missouri.

During this sojourn and, a year later, when the expedition was on its return from the coast, Captain Lewis made a careful study of this water power and its environs. This he did with a far-distant future in view; if he



RAIN BOW FALLS, GREAT FALLS.

hardly three miles away, where in 1805 the intrepid members of the Lewis and Clark expedition celebrated the Fourth of July. In the journal of that famous tramp it is recited that game was not then abundant, and the quaint record is: "We contrived, however, to spread not a very sumptuous but a comfortable table

did not realize what the century dating from his activities was to achieve in the way of our country's development, he apprehended, at least, the inestimable value of the industrial energy concerning which he and his companions were soon to inform the civilized world. The carefully treasured report then

prepared, with its maps and charts, attest the extreme care with which he observed every aspect of the region, and is made the more interesting by the fact that the surveys of recent times establish the surprising accuracy of the data Captain Lewis set down for all the distance from the point where the waters take their first plunge to the place, miles below, where the river resumes its placid course.

Those whom local coloring interests, in connection with scenic wonders, are gratified to know that even with respect to a good many minor items the imprint of the old expedition has not been disturbed. When they were trudging across Dakota and eastern Montana the explorers were told by Indians that at one of the falls an eagle's nest would attract their notice. They found it. The journal says: "Just below these falls is a little island in the middle of the river, well covered with timber. Here on a cottonwood tree an eagle had fixed its nest and seemed the undisputed mistress of a spot to contest whose dominion neither man nor beast would venture across the gulfs that surround it." They christened this cataract Black Eagle Falls. They gave the name of Coulter, one of their comrades, to another falls. They applied the stream's course to the naming of Crooked Falls; the Rainbow Falls recall the lines in which the journal speaks of "the masses of white foam upon which the sun impresses the brightest colors of the rainbow."

At a distance of three hours by railway from the city of Great Falls, the Missouri river gets its start from the mingling at Three Forks of the waters of the Gallatin, the Jefferson and the Madison. Near Great Falls, in traversing a distance of eight miles the river's drop is 400 feet. It makes the descent over a series of cataracts, with intervening rapids, in a volume of water so great that when translated into an economic force it means more than 130,000 horsepower. Majestic power this; exhaustless in resource, limitless, almost, in its possibilities! Unknown until Lewis and Clark told about it. During uncounted centuries it ran on and on, the

waste of stupendous energies. Indeed, for decades after the finding of it by the men who explored this region it was a useless treasure.

The time is within the memory of men now at manhood's prime when Great Falls power was first applied to industries in Montana—an insignificant draft was made then upon the available total. In fact, the present day is witnessing the first efforts, under Mr. John D. Ryan's discerning guidance, to adopt this splendid force to a fair measure of its ability and its opportunities. In this progressive commonwealth there is need for every drop of this water converted into an industrial agency. For the uses of the mammoth copper-making plant at Anaconda, five thousand horsepower is under constant transmission over a distance of 152 miles. The quota furnished to mines in the Amalgamated and Anaconda group is 15,000 horsepower, conveyed 130 miles.

These paragraphs are the preface to pages that tell of the power of Great Falls; of the dams and stations and equipment; of convenient sites for industrial plants; of transmission lines; of present service and available field; of the aggregate of power compared with that of other famous cascades; of the millions spent and spending; of relative economy in generating electricity; of the enormous conservation involved in the displacing of coal; of the economies assured and the commercial opportunities afforded.

#### POWER DEVELOPMENT AT GREAT FALLS, MONTANA

The completion of the Rainbow Falls Power Development with a plant capacity of 36,000 horsepower marks the first step in the development of power on a large scale from the Missouri river at Great Falls, Montana.

As has been said, the river in this locality falls 400 feet in a distance of eight miles, making possible a total development of 76,000 electrical horsepower continuously at the lowest stages of the river. With an amount of

storage easily obtainable, by means of low dams, power can be developed much in excess of 130,000 horsepower. The total drop is divided up into a series of precipitous falls, making the development of power by a series of plants exceptionally easy.

#### DESCRIPTION OF DEVELOPMENTS

The first abrupt falls are located about two miles from the center of the city of Great Falls, and are called Black Eagle Falls. By means of a low crib dam, built in 1890, on the crest of the falls the available head is increased to 45 feet, and 10,000 horsepower is developed. About 8,000 horsepower is used by the Boston & Montana Smelter, located on the north side of the river, and the remainder is taken by the Great Falls Electric Properties' power station and the Royal Milling Company's flour mill on the south side. With the exception of that taken by the Great Falls Electric Properties' plant, none of this power is transmitted electrically, but is used directly at the falls and is transmitted by shaft or rope drive.

Three and one-half miles below Black Eagle Falls are located in close proximity to each other, Coulter's, Rainbow and Crooked Falls, having a combined natural fall of 80 feet. The largest of these is Rainbow, and from it the development at this point takes its name. The head made available by these falls is increased to 105 feet by a rock filled crib dam 29 feet high.

Below Rainbow Falls the river drops at a fairly uniform rate a distance of 140 feet in four and a half miles and then plunges down vertically 77 feet, forming the Great Falls of the Missouri river. This is the greatest fall the Missouri encounters in its entire length and will be the site of the next power development.

No excavation was required for the dam at Rainbow, as solid bed rock was already exposed across the entire site. The same solid rock foundation exists at the Big Falls as well as the intermediate falls between Rainbow and

Big Falls, thus furnishing an unusually good foundation for both dams and power houses at the very lowest cost.

#### FLOW OF THE RIVER

The preceding figures of available power are based on a minimum flow of the river of 2,300 cubic feet per second. Only a very few times during the last five years has the flow been less than the assumed minimum, and then for only a short time. With the amount of storage available these short low water periods can easily be bridged over so that the true working minimum with the plant in operation will probably be nearer 2,500 cubic feet per second than 2,300.

#### RAINBOW DEVELOPMENT

The development at Rainbow was started October, 1908, and completed July, 1910. It has a total capacity of 21,000 kw. in generators and 36,000 horsepower in water wheels and operates at 105 foot head. The general scheme of development is typical of what may be called standard practice in the West for plants of medium head and consists of a low diverting dam, a double pipe line feeding into a balancing reservoir near the plant, and individual penstocks supplying the turbines from this reservoir.

The dam is a rock filled crib structure 1,146 feet long and 29 feet high, the upstream side of which slopes at such an angle that the stability of the dam is assured even under the greatest floods, the weight of the water acting to hold it down, so that the higher the flood the greater the stability. The down-stream side is also sloping and tapers off into a long apron so designed as to take care of any overflow which may occur without shock or commotion. The dam is founded on solid rock throughout its entire length.

At the south end of the dam is a sluiceway having a discharge capacity of 8,000 second feet and controlled by hand-operated gates. Located at the north end is the intake to the pipes supplying the plant. This consists of a



concrete chamber or forebay into which the water is admitted by eight openings, eight feet in diameter, controlled by hand-operated gates and provided with screens for the exclusion of trash.

The two main pipes are of riveted steel construction, 15 feet 6 inches in diameter, and 2,350 feet long. These are the second largest steel pipes in the country; a realizing sense of their size may be obtained by comparison with some familiar object; for example, they are large enough to readily allow a standard railway passenger-coach to pass through from end to end. The amount of steel used in their construction was 2,471 tons, or 62 car loads, and 436,000 rivets were employed, while the steel plates, if laid flat, would cover five acres of ground.

Both the inlet and outlet ends of the pipes are enlarged to form bell mouths, thus making the changes in the velocity of the water gradual and minimizing the loss of head. Stop log guides are provided at each end, so that either pipe can be shut down temporarily and emptied for inspection or painting while the other remains in operation and supplies water to the plant.

The balancing reservoir into which the main pipes discharge performs the important function of keeping the flow in the pipes steady while the quantity of water taken by the wheels varies with sudden changes in load. The 28,000 tons of water in the main pipes cannot be suddenly started, nor when it is once in motion can it be suddenly stopped. The reservoir acts, then, as a buffer to make the variations in velocity demanded by the wheels apply gradually to the water in the main pipes. The reservoir at its lower end is provided with an overflow weir to take care of any unusually sudden rise in the water level. On its sides are twelve openings controlled by hand-operated gates and protected by screens which supply the eight-foot branch penstocks leading directly to the turbines. The reservoir as a whole is excavated in the hillside above the powerhouse and has concrete walls resting on solid rock.

The powerhouse is a three-story brick building with steel frame and concrete floors and roof. On the ground floor the generating units are located, and on the second floor overlooking them are the switchboard, low tension switches and step-up transformers. The third floor is devoted exclusively to high tension switching apparatus, busbars and lightning arresters.

There are six turbines having a normal capacity of 6,000 horsepower each. These machines, which were built by S. Morgan Smith Company, are of the inward flow Francis type, with two runners on a horizontal shaft. Each runner is enclosed in a separate spiral casing fed by a separate pipe from the balancing reservoir and discharging into a common draft tube. The spiral casings are of cast iron and the runners of bronze. The gates are of the wicket type with bearings outside the wheel casing, thus insuring good lubrication. The wheels are controlled by Lombard Type N governors. A test of the wheels made under operating conditions showed an efficiency of 86 per cent at full load; an efficiency that has rarely, if ever, been exceeded by any turbine. In the capacity test one of these turbine units carried a load of 5,500 kilowatts on one of the 3,500 kilowatt generators, showing ample capacity to drive the generators up to and above the maximum overload that would ever be put on them in regular service. On these occasions the turbines were opened up to full gate with no load on the generators—i. e., runaway conditions—and permitted to attain as high speed as they would, with no damage resulting to any part of the apparatus and no trembling or vibration indicating an unbalanced condition in either the turbine or generators.

The turbines were closed down very quickly so as to produce a water ram in the penstocks which showed a pressure on the gauges 100 per cent in excess of the regular operating pressure, and no damage was done or sign of distress developed in either the penstocks, wheel cases or foundations.

Each wheel is direct coupled to an alternat-

ing current generator built by the General Electric Company and rated at 3,500 kilowatt, 6,600 volts, three-phase, 60 cycles, 225 r. p. m. Mounted on an extension of each generator shaft is an exciter, each exciter having sufficient capacity to excite two generators. The exciters are so connected that any one may be used for auxiliary service about the station, such as lighting, charging the storage battery, operating the crane, etc.

The station is laid out with the idea of utilizing the output of two generators in the vicinity of Great Falls, a distance of about four miles. This power is transmitted at the generator voltage of 6,600 and no step-up transformers are required. The output of the remaining four generators is stepped up to 102,000 volts and transmitted to Butte and Anaconda, a distance of 130 miles and 152 miles respectively. For this purpose there are installed four banks of single-phase transformers, rated at 3,600 kilowatts per bank, and having a primary voltage 6,600, and a secondary voltage 102,000. Five per cent taps on the high tension side and three per cent taps on the low tension side are provided so that the actual voltage delivered can be adjusted and adapted to operating conditions as they may change from time to time. The transformers are connected in delta on both high and low tension sides. All transformers and switching apparatus were manufactured by the General Electric Company. The 6,600 volt oil switches are Form H-3. The 100,000 volt switches are Forms K-10 and K-15; the former being used for the high tension side of the transformers and the latter for the outgoing lines. Electrolytic lightning arresters are used with horn gaps located on the roof of the station. The outgoing lines leave the building through oil filled porcelain bushings in the roof.

#### TRANSMISSION LINES

Power is transmitted to Butte, a distance of 130 miles, over two separate lines running parallel on the same right of way. At the

center of these lines is a switching station, equipped with oil switches and lightning arresters, by means of which a cross-over connection can be made and one-half of either line cut out while the remainder is in operation. Each line is further subdivided into 7 sections by means of outdoor disconnecting switches. These switches are used for sectionalizing the line and locating trouble.

Feeding from the busbars in the Butte substation, a single line of the same construction as the Great Falls line is extended to Anaconda, a distance of 22 miles, making a maximum distance power as transmitted 152 miles, and the total length of single line 282 miles.

The transmission line embodies the most approved ideas in construction. The conductors are No. O. B. & S. gauge, hard drawn copper strand. The insulators are of the suspension type, each insulator consisting of 6 units, 10 inches in diameter. The insulators will stand a wet test of over 300,000 volts, and were selected after long and careful tests by the company's engineers. The wires are carried on steel towers of the four legged, single crossarm type, manufactured by Milliken Bros. The three conductors are suspended in a horizontal row from the crossarm, and there are no transpositions in either line. Above the power wires and symmetrically located are two galvanized steel strands,  $\frac{3}{8}$  in. in diameter, grounded at each tower, which serve as a protection against lightning.

The distance between towers in level country is 600 feet. In mountainous country, however, the spans are irregular in length and spans of 1,500 or 2,000 feet are common. The longest one in the line is that crossing the Missouri river and is equal to 3,034 feet. The length of this span is such that a person standing at one end of it can see the wires go off and vanish into space while the tower at the further end is barely visible to the naked eye on a clear day. The line starts at an elevation of 3,200 feet, rises to an elevation of 8,200 feet as it crosses the Continental Divide, and again descends to 6,100 feet, the elevation at Butte.

Midway between the two lines of towers a

private telephone line is located. The telephone circuit is of No. 10 B. & S. gauge, hard drawn copper, supported on 25 foot cedar poles, spaced 175 feet. The line is transposed every fifth pole, and disconnecting switches are inserted every five miles for testing purposes.

#### BUTTE SUB-STATION

The 100,000 volt sub-station at Butte is located near the center of the district in which the power is distributed. The sub-station building is 150 feet by 50 feet in plan and 50 feet high. It is a brick walled, steel framed structure with concrete floors and roof.

There are installed at present four banks of single-phase transformers, rated at 3,600 kw. per bank and connected in delta on both high and low tension sides. They step the voltage down from 102,000 to 2,500, at which voltage it is distributed to customers. The transformers are installed in fireproof compartments, entirely shut off from the rest of the building by brick walls and opening only out of doors. The transformers are mounted on wheels and can readily be run out onto a flat car which stands on a track running parallel with the building in front of the row of transformer compartments. This arrangement furnishes a convenient method of handling the transformers, both at the time of installation and afterward, in case it is necessary to make repairs.

On the gallery above the transformer compartments are located the electrolytic lightning arresters. On the gallery opposite are the 100,000 volt line switches. Possibly the most unique feature of the electrical layout is the 100,000 volt bus construction. For flexibility in switching, duplicate busses are provided. The busses themselves are made of 1½ in. iron pipe suspended by standard line insulators from the roof trusses of the building. The three conductors of each three-phase bus are suspended one above another, each being supported by the next one above. The connections to the lines are also of iron pipe, making the bus structure as a whole

quite rigid and well adapted to the use of suspension insulators.

The switchboard is in two sections, one section operating all line and transformer switches, which are remote controlled; the other section taking care of the 2500 volt feeders, which are controlled by hand operated automatic switches.

All electrical apparatus in the sub-station was supplied by the General Electric Company.

The load supplied in Butte is confined entirely to the mines, the power being used chiefly for the operation of motor driven air compressors and electrically driven pumps. The load is very nearly uniform for twenty-four hours each day throughout the year. The load factor is, in fact, close to 90 per cent.

#### COMPRESSED AIR HOISTING

Up to the present time practically all the hoisting in Butte has been done by steam.

Twenty-five of the larger steam operated hoists in Butte are driven by engines with an aggregate capacity of 40,000 h.p. The service required of these hoists is so intermittent and the percentage of time during which they operate at full load is so small that the average power required to operate all the hoists does not exceed 4,600 h. p. On account of the intermittent load, steam operation is very uneconomical, and it has long been desired to substitute electric power for the steam, if this could be conveniently done.

This led to the adoption of a compressed air system for hoisting, the compressed air being supplied by one large central plant with synchronous motor driven compressors. This plant is located on top of a steep hill adjacent to the Great Falls Power Co.'s substation. By providing a large storage of air, a system has been worked out which will have sufficient capacity to equalize the variation in load of the entire system. On top of the hill is a steel water tank holding 60,000 cu. ft.; 208 ft. down the hill are air receivers having an equal



capacity. The water tank is connected to the receivers, so that as air is drawn from the receivers water under pressure will take its place and maintain the full pressure of 90 lbs. until the receivers are empty.

With these receivers connected to the hoisting system, not only will the load be equalized but there will be sufficient reserve power to operate the hoists for several trips from the storage alone if in any emergency the compressor plant is temporarily shut down.

With this system of hoisting the original hoists will in all cases be used, some comparatively inexpensive changes only being necessary to adapt them to the use of air instead of steam.

Installed in the compressor plant there are at present three 1,200 h. p. direct connected synchronous motor driven compressors. The motors are specified to operate at full load and 80 per cent. power factor, so that they have considerable reserve capacity for regulating the power factor of the load in Butte, thus keeping the voltage of the system constant. This is of no small advantage to the power company.

#### ANACONDA SUB-STATION

The power delivered to Anaconda is used entirely for the operation of the Washoe Smelter, the largest smelter in the world. The sub-station building belongs to the Washoe Copper Company and is a fireproof brick structure. There are at present installed three 1,200 kw. transformers, with one additional transformer as a spare. In the near future this number will be increased to six, making two complete banks, with a total capacity of 7,200 kw., or 9,650 h. p. The transformers are in every respect duplicates of those installed in Butte. They are controlled by a general electric K-15, 100,000 volt oil switch and protected by an electrolytic lightning arrester.

The load, like that at Butte, has a very high load factor, and consists almost entirely of induction motors in large sizes.

#### OPERATION

The load carried by the Great Falls Power Company is practically constant 24 hours a day and 365 days in the year. There are no lighting peaks and there is no appreciable difference between the summer and winter loads. The leading current taken by the long high voltage line just about neutralizes the lagging current taken by the load, so that the power factor at Rainbow plant is very near unity. This combination of high power factor and high load factor makes an unusually favorable operating condition, which is probably not excelled by any system in the country.

In addition to this, a working agreement exists between Great Falls Power Company and the Butte Electric & Power Company, which allows an exchange of power between the system of the two companies. This arrangement is of immense advantage to both systems. The Butte Electric & Power Company has power plants on the Big Hole, Madison, Jefferson and Yellowstone rivers, with a total capacity of 25,000 h. p. It also has immense storage reservoirs which allow, for short periods of time, the development of power much in excess of the low water capacities of the plants. This excess power is at all times available for the use of the Great Falls Power Company if in any emergency it should be needed.

A further advantage is that the various plants of the two systems are widely separated and are on rivers whose water sheds are subject to different climatic conditions. Thus periods of excessive high water or excessive low water occur at different times, at the different plants. If, for a few days, the flow of the Madison river or Big Hole river is less than normal and the capacity of the plants on these rivers is reduced, the deficiency will be made up from the Rainbow plant. Later, when the excessive low water is felt at the Rainbow plant, the Madison and Big Hole plants will have regained their normal output and be ready to make up any deficiency that may occur at Rainbow.

## POWER MARKET

With a power system located in the center of a district that is growing at the rate that Montana is growing, it would be difficult to estimate the amount of power that could be eventually sold; however, this much is known: Before Rainbow plant was completed, contracts had been entered into with one of the largest copper mining companies in the world, to continue during the life of the mines. Under these contracts all requirements for electric power are to be supplied by the Great Falls Power Company. To fulfill the immediate demands of these contracts nearly the entire output of the plant is required.

## PROSPECTIVE POWER

It is only a question of time when the railroads traversing the mountainous parts of Montana will be electrified, and two companies are already investigating the subject. Manufacturing industries requiring large amounts of cheap power will also increase in number, and tend to center around the large power developments. As the country grows, the demand for power for lighting, urban and inter-urban railways, irrigating, milling, etc., will increase.

Great Falls is in the midst of a large agricultural region. The power company's lines touch upon or parallel four transcontinental railroads and one local road. The company is in a position to furnish not only cheap electric power at Great Falls, but also factory sites along the banks of the river for several miles. With unlimited amounts of power and water, and good railroad facilities, this location seems ideal.

No definite figures can be given which will show the exact rate of increase in the demand for power, but with the Big Falls of the Missouri still to develop, possessing a capacity of 75,000 h. p. for peak loads, it is probable that whatever the demand may be it can be supplied for a great number of years to come.

## TRUE CONSERVATION

Much has been said of late years on the subject of conservation, many of the arguments being to the effect that water power development should be restricted so that the people may not lose the power which nature has given them. It would appear more to the point to argue that water power development should be *encouraged* so that the people may not lose the power which nature has given them.

A few figures will show the saving that the power already developed at Great Falls will effect.

Coal in Butte and vicinity costs from \$4.50 to \$7.50 per ton, \$5.00 being a fair average figure. 17.5 tons of this coal per year are required under ordinary conditions to produce one horsepower. To produce the 46,000 h. p. that is at present developed at Black Eagle and Rainbow Falls would require 805,000 tons of coal per year. At \$5.00 per ton this would cost \$4,025,000. With further developments at Great Falls this amount can be doubled.

Now to re-state the question; does the saving of four million dollars worth of coal each year conserve the resources of the country or not? We think it does.

The total cost of generating steam power in Butte is \$100.00 per horsepower year. Electric power can be bought for half this amount, and less than half in large quantities.

## CONCLUSION

It is believed that the power development herein described is in every way qualified for the greatest success.

The immense natural falls of the river did away with the necessity of an expensive dam, and made the development exceptionally cheap. The existence of a market to take the full output of the development at the very start assures an immediate revenue and obviates the long wait suffered by most plants in gradually accumulating a load.

The working agreement with the Butte

Electric & Power Company, as has been explained, is of great advantage in every way.

Last but not least, the permanent construction of the power and sub-station insures long life and high efficiency, and it is believed that from a standpoint of mechanical strength, high insulation and electrical efficiency, the transmission lines are not excelled by any in the country.

A description of this power development would be incomplete without mention of those chiefly responsible for it.

To Mr. John D. Ryan, president of the company, belongs the credit of originating the enterprise and standing back of it with steadfast support until its completion.

Mr. Henry A. Herrick, resident engineer, representing Chas. T. Main of Boston, was in direct charge of the work at Rainbow, and largely to his experience and good judgment is due the excellence of the hydraulic design of the plant.

Mr. Frank Scotten, superintendent, carried on the construction of the plant at Rainbow with characteristic energy and completed the entire development in 21 months—a remarkable record for an undertaking the size of this.

Mr. H. H. Cochrane, electrical engineer, prepared the designs for sub-stations and

transmission lines, and helped solve many problems which arose as the work progressed.

The water power of Clark's Fork river and its affluents will be an immense asset to the surrounding country. By constructing a 25 foot dam at Thompson Falls it is claimed that it will be possible to generate 60,000 horsepower. A wealthy company is now developing this power and \$4,000,000 is to be invested in the work.

The plan is to develop 46,000 horsepower and the building of the dam is well under way. From this plant considerable of the electric power for the Chicago, Milwaukee and St. Paul Railroad will be obtained. An auxiliary plant on Prospect creek, which is to furnish power for the erection of the big dam on the river, electric lights for Thompson Falls, Plains, Paradise, St. Regis and the mines at Iron Mountain, is nearly completed.

There are many power plants situated at different points along the rivers of this state but it is not within the scope of this history to enumerate them. Suffice it to say that like all other resources of this great commonwealth the development of hydro-electric power here is in its beginnings. The future promises a steady growth of that vast energy the possibilities of which are scarcely realized today.



## CHAPTER XXV

### EDUCATION—INSTITUTIONS OF LEARNING—OTHER STATE INSTITUTIONS

The first school district in this state was organized at Virginia City, and the first public school was opened on the fifth day of March, 1866, the same day that the territorial legislature convened. The trustees were Hon. Joe Millard, chairman, Samuel Word, and Captain Rodgers. Rev. George Smith was clerk of the board. The first superintendent of public instruction, or school commissioner as he was then called, was Mr. Thrasher.

The report of A. M. S. Carpenter, fourth superintendent of public instruction, presents a fair idea of the pioneer schools of the state. It reads:

Territory of Montana, Dep't of Public Instruction, Office Superintendent Public Instruction.

Virginia City, 20th October, 1867.  
To His Excellency, the Governor, Green Clay Smith:

"In compliance with your request and the intent of the law creating the office, I beg leave respectfully to submit the following report of the condition of the common schools of the Territory so far as I have been able to obtain the statistics.

I was appointed to fill the vacancy created by the resignation of the late Superintendent, A. H. Barrett, Esq., by the late General Thomas Francis Meagher, then acting Governor, on the 4th day of March, 1867. I found no reports from County Superintendents in the office at that time, nor have I since received any, save a very commendably full one from Superintendent Wilkinson, of Edgerton County, in response to my request issued on the 28th of September last, to the County

Superintendents, for the statistics in their possession.

Through the kindness of Mr. R. N. Farley, Clerk of District No. 1, Madison county, I am able to give you some statistics concerning the schools in this city, which you will find embodied in a tabular form accompanying this report.

In Beaverhead county, I learn indirectly, no public schools have been open during the year.

No schools have ever been organized in Choteau county.

In Edgerton County there are three school districts organized in which schools have been taught some portion of the year.

Eight school districts have been organized in Madison county; but aside from District No. 1, of this city I am uninformed of the fact of any school having been taught in either, though I think it fair to assume that there have been in each.

I am, respectfully, your obedient servant,  
A. M. S. CARPENTER.

According to information furnished by the files in the state office the following have been appointed or elected to the position of superintendent of public instruction.

Thomas J. Dimsdale	1864
Peter Ronan	1866 (Declined)
Alex H. Barrett	1866 (Resigned)
A. M. S. Carpenter	1866
Thomas F. Campbell	1867
A. G. Lathrop	1869
Cornelius Hedges	1872
Clark Wright	1877
W. Egbert Smith	1879
R. W. Howey	1881
Cornelius Hedges	1883

James H. Mills.....	1885 (Declined)
W. W. Wylie .....	1885
A. C. Logan.....	1887
John Gannon .....	1889
E. A. Steele.....	1893
E. A. Carleton .....	1897
W. W. Welch.....	1901
W. E. Harmon.....	1905
H. A. Davce.....	1913

While Hon. T. F. Campbell gave certain data concerning five counties of the state for the year ending November 30, 1868, the first regular report of this department was that of Supt. Cornelius Hedges giving information concerning the nine counties of the state at that time, namely: Madison, Gallatin, Deer Lodge, Lewis and Clark, Meagher, Jefferson, Chouteau, Missoula, and Beaverhead.

Among other items of interest culled from the reports of Superintendent Hedges is the statement that the average length of the school term each year was eighty days, and that book-keeping was a required subject in the public school course of study. At first Deer Lodge had the only frame school house in the territory, Missoula the only brick, and Helena was holding school in the basement of a church, the desks and benches of which were "a terror to behold." During the administration, however, Superintendent Hedges had the pleasure of seeing good buildings erected at Helena, Virginia City, Bannock, Blackfoot and New Chicago.

Even in those days the office had its troubles for the report says that there was too much of a tendency for school districts to divide, county superintendents were slow in making reports, and the law provided that "the Superintendent shall keep his office at some place where there is a post-office" and that "he shall receive a salary of only \$1,200, with a \$300 allowance for travelling expenses."

Superintendent Clark Wright who succeeded Mr. Hedges, reported improvements in all of the counties of the state, and new school houses at Bozeman, Butte and Benton. He gave Deer Lodge county first place for interest

shown in educational work and outlined the plans for the opening of the Montana Collegiate Institute which was started that year in hired rooms with twenty-four students in attendance. During this year two counties of the state held teachers' institutes.

W. Egbert Smith who came to the office in 1879 found seven thousand forty-nine pupils in the state, practically double the number shown by the census of 1872. During his administration twenty-three new school buildings were constructed. Helena at that time being given credit for the best graded schools in the territory. Superintendent Smith also recommended uniform certificates and a board of education and advanced first-class arguments for the consolidation of schools.

A marked improvement was shown when R. H. Howey took the office in 1881. The length of the average school year was increased to one hundred and ten days, a course of study was prescribed, the county superintendents reported for the first time, the legislature adopted uniform text-books, deaf and dumb children were sent east at public expense, Helena, Butte, Bozeman, Deer Lodge and Virginia City introduced high school work, and congress granted seventy-two sections of land for university purposes, which land was personally selected without compensation by Superintendent Howey who saw to it that the very best land available was allotted and set aside for this purpose. In 1882 he reported eleven new schools, one of them a fine ten room building in Butte, the first meeting of the Territorial Teachers' Association, the selection of county superintendents solely for school purposes, the election of two women, Miss Helen P. Clark of Helena, and Miss Alice Nichols of White Sulphur Springs to the office, and recommended that a reform school be established.

In 1883 Superintendent Hedges, who had again been called to the office, took up the work with renewed vigor. Many improvements were made, yet the obstacles against which these pioneers in Montana education worked even thirty years ago was not realized

by the people at that time. Teachers' institutes were held in practically every county in the state, many of the teachers paying a full month's salary for stage fare to take them to the place of meeting, yet with this kind of men good work was done and public sentiment was not lacking, a good display of which was an old-fashioned spelling-bee at Billings where Mr. Billings gave four thousand dollars towards a new school building, the only one in the territory at that time which was supplied with an up-to-date heating furnace.

Hon. W. W. Wylie was the next man to assume the work of the office. Early in his administration he introduced the teaching of the effect of alcohol and narcotics into the public schools of the state. He showed that the county superintendent of Beaverhead county, with eighteen school districts to care for, received a salary of only five hundred dollars, while that of Yellowstone county, with only half that number of districts, received a salary just twice as large, and then recommended that there be four district superintendents instead of so many county superintendents. He caused the program of the Territorial Association of Teachers which had met at Butte that year to be printed, and still further encouraged the teachers of the territory by inducing the railroads to give a reduced fare to all those attending the meeting of the association. He saw to it that institutes were held in practically every county and started the movement that resulted in an educational department making out the lists of questions for teachers' examinations, which allowed each and every county superintendent to use his own judgment both in selecting the questions and in marking the answers to the same.

Arthur C. Logan succeeded Superintendent Wylie and when he assumed the duties of his office, he found two hundred and eighty-nine organized school districts and three hundred and ninety-four teachers. Territorial Teachers Association meetings were held in 1887 and one was held at Butte in connection with the teachers' institute of Silver Bow county in 1888. The law at this time required the super-

intendent of public instruction to travel at least three months each year. This gave Superintendent Logan ample opportunity to assist in institute work and encourage the planting of trees for Arbor Day, which was established during this administration.

John Gannon was the first superintendent of public instruction for the state of Montana. For some reason he left nothing in the shape of a permanent report, but one of the other administrations gave this superintendent credit for the State Reading Circle, and the starting of the observance of Arbor Day according to the requirements of the law mentioned in Superintendent Logan's report.

Though Superintendent Gannon's report was brief, that of his successor, E. A. Steere was not so. In the first place he published a list of all of his predecessors in office and reported the establishing of practically all of the state educational institutions as they exist today. The University of Montana was located at Missoula and a site of forty acres was donated by Messrs. F. G. Higgins and E. L. Bonner. The Montana State College was founded at Bozeman, February 16, 1893, and Professor Luther Foster and one assistant took charge of the work until September 15, 1893, at which time President James Reid and a full faculty were elected. The Montana State Normal School and College was located at Dillon, May 23, 1893, Messrs. Poindexter and Orr donating the site of ten acres. The State School of Mines was established at Butte, February 17, 1893, and five trustees were appointed by the board of education to look after its interests. The State School for Deaf, Dumb and Blind was established March 1, 1893, and a ten acre site for the same was selected at Boulder, May 22nd of the same year. The State Reform School which had been recommended by Superintendent Howey was opened April 3, 1894 at Miles City. Besides all of the above state institutions Professor Steere's report showed that seventy-five new districts had been created and an Arbor Day manual published. Under Superintendent Logan there was a territorial text book commission appointed com-



posed of Professors Howey of Helena and Meyers of Deer Lodge. Superintendent Carleton deserves the credit for organizing the State Text Book Commission as it has existed the past twelve years. He also gave a report on the work of the rural school and consolidation, called the county superintendents together for the first time, August 27, 1897, printed the first course of study, Professors Craig, Sanders and Klock assisting, held the first state eighth grade examinations and reported six county high schools, at Bozeman, Boulder, Dillon, Kalispell, Lewistown and Livingston, with a total enrollment of 386 pupils.

Among the features of the report of Superintendent W. W. Welch was an outline of the work of rural schools, a report of the work of the private schools of the state, numerous cuts and illustrations of local institutions and a series of educational discourses prepared by the leading educators of the state.

According to the report of State Superintendent W. E. Harmon for 1908 the school census of 1907 showed 73,269 children of school age of which number 36,895 were boys and 36,374 were girls. The whole number enrolled during the year was 50,516 and the average daily attendance was 34,699. In 1906 the school census was 72,498, the number enrolled 48,744 and the daily attendance was 34,738. During the year thirty-nine new school houses were built. The value of school houses and sites was given at \$3,645,343. There were 501 normal graduates and 154 college graduates employed in the schools. The expenses for all school purposes was \$1,702,-425.64.

Five years later and in 1912, there were 104,774 children of school age, with a total enrollment of 68,335 and a daily attendance of 49,330. The total expenditures for all school purposes had increased to \$4,889,070.66.

#### UNIVERSITY OF MONTANA

*By Paul C. Phillips*

The University of Montana is the head of the public school system of the state, and, as

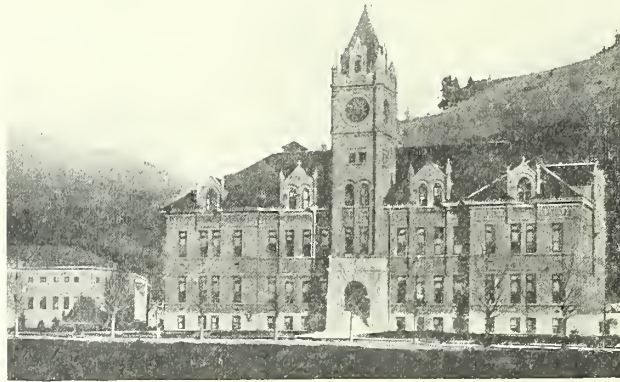
such, is intimately connected with all its educational interests. The organization of public school education in Montana is similar to that which has worked so well in many states. At the base is provided a course in primary and grammar school instruction which reaches into the most remote corners of the state, and from the grammar grades, the boys and girls pass to the high school which fits them for work in the university. The University of Montana sets the standard for the secondary schools, by requiring them to do work of a high quality before their graduates can be admitted to take studies of university character. It is the largest and best equipped institution of higher learning within the state, and the only one which offers full courses in liberal arts and sciences, and in technical and professional work.

The support of state universities is a settled fact of national policy, whose inception dates back to the days before the formation of the constitution of the United States. The old Continental Congress passed a law in 1787 which has become famous as the "Ordinance of 1787." In one article of this ordinance is the statement that "religion, morality and knowledge being necessary to good government, and the happiness of mankind, schools and the means of education shall forever be encouraged." Congress strengthened this declaration by grants of land to the different states for the foundation and support of universities, and out of this policy grew the University of Montana.

The first step in the establishment of the University of Montana dates from an act of congress approved February 18, 1881, entitled "An act to grant lands to Dakota, Montana, Arizona, Idaho, and Wyoming, for University purposes." This land was to form an endowment that could never be diminished, and the income from which should be used exclusively for the support of the university. The University of Montana received in all seventy-two sections or about 46,000 acres of land from the government and thus was laid the foundation of its greatness.

Many years were to elapse, however, before the state could take advantage of this generous donation, and it was not until 1893 that the legislature provided for the foundation of the state university. The plan for its organization was the occasion of much bitter discussion. As a result of political bartering incident to the contest for the solution of the permanent capital the university was divided in four parts to be located at Missoula, Butte, Bozeman and Dillon. This proposal aroused a storm of indignation throughout Montana. Leading educators protested, and the State Teachers' Association denounced the scheme as "not only a mistake, but as a crime against the state." In

were offered; a classical course, a philosophical course, a general science course, and a course in applied science. No quarters had, as yet, been provided, and the citizens of Missoula gave the use of one of their school buildings so that the university might begin its work. Mr. E. L. Bonner and Mr. E. G. Higgins had already donated ground for the location of the university and in 1897 the legislature appropriated \$100,000 for the construction of buildings. Two buildings were erected, one known as University Hall, which contained besides class rooms, the library and museum, the other named Science Hall where was carried on the work in science and en-



STATE UNIVERSITY, MISSOULA.

spite of the opposition, however, the division went through, and the School of Mines, the Agricultural College, and the State Normal School were founded as separate institutions. The authors of this measure, however, seemed to realize the seriousness of their act, for they authorized the state board of education to affiliate these institutions with the university at Missoula.

It was not until the fall of 1895 that the university was formally opened under the presidency of Dr. Oscar J. Craig, and with him, were associated four other members of the university faculty. In addition to a preparatory course, four college courses of instruction

were offered. In 1901, the legislature authorized a bond issue of \$70,000 for the construction of a woman's dormitory, and a gymnasium, and in 1907 gave \$50,000 for a library building. In 1911, an appropriation of \$50,000 was made for an engineering building, \$40,000 for the enlargement of the campus but the funds for these were suspended by the State Board of Examiners and the buildings were never erected. An appropriation of \$5,000 for the construction of a biological station at Flathead Lake was released however, and thus suitable quarters were provided for this important work.

President Craig gave many years of useful

service to the University of Montana. Under his presidency, the faculty increased from five to thirty and the number of students increased proportionally. The philosophical, the classical and science courses were combined into a college of liberal arts and science, the course in applied science was developed into a department of engineering, and the department of education began the work of preparing Montana students to fill positions in her high schools. The biological station at Flathead Lake began its work of scientific investigation of the flora and fauna of the state. Other works of research have added fame to the scholarship of Montana until she ranks as one of the most progressive of all the states.

After many years of distinguished work, President Craig retired from active life, and in 1908 was succeeded by professor Clyde A. Duniway of Leland Stanford Junior University, one of American's most distinguished historical scholars. Dr. Duniway was a vigorous and aggressive administrator, and his incumbency was marked by many changes. His personality has left an indelible impression upon the university and upon the state as well. The preparatory school was abolished and the elective system was substituted for the system of prescribed courses, and standards of work were adopted similar to those required in the larger universities. A law school was established under the direction of Judge Clayberg, one of the most distinguished of American jurists, with an able faculty to assist him, and a summer school, primarily for the benefit of teachers, was made a permanent part of the university.

In 1912, President Duniway was succeeded by President Craighead of Tulane University, one of the leading educators of the country. Dr. Craighead, with more than twenty years of successful experience as college and university president came to Montana from a larger institution, because he realized the vast possibilities of higher education in the state of Montana. He at once applied himself with vigor and ability, to the task of making the

university of greater service to the people of the state.

There were many difficulties in the way. The institutions of higher learning were working out of harmony and duplicating courses at needless expense. Montana, with her small population and limited wealth could hardly maintain four rival schools each also trying to compete with the centralized universities of older and richer states. President Craighead saw that the first step in efficiency was consolidation of the institutions into a greater University of Montana, and he accordingly invoked the assistance of the State Board of Education which, by the laws incorporating the state institutions, was authorized to act. His appeal found a ready response among distinguished educators and public men of the state, and the State Board showed its willingness to support his plan and urged the legislature to give its approval.

The bill for consolidation was introduced by Senator Whiteside of Flathead county. It provided for the formation of a great University of Montana by combining the four state schools. The new university was to have a permanent endowment guaranteed by a mill tax, and the site of this institution was to be chosen by a commission of disinterested men. It was planned that the new university should have a campus of at least 10,000 acres where could be carried on experiments in forestry and agriculture, and where students might work in order to pay their way through college.

The plan was largely supported throughout the state and approved by the nation at large. The greatest educators in America gave their encouragement to the effort of bringing together the four small institutions of the state into one great university. Fears were entertained, however, on the part of Dillon, Bozeman, and Missoula, that if the bill went through they might lose their portions of the state institutions. These towns acted together, and in spite of the heavy popular support of the measure it was defeated in the senate.

The agitation would not down and in place of consolidation there was introduced a bill by





PARMLY BILLINGS LIBRARY, BILLINGS.

Senator Leighton for unification of the state institutions and this measure passed both houses by a large majority. The Leighton bill differed from the one for consolidation in that the institutions were not to be one institution. There was to be no duplication of courses, and other measures were incorporated designed to secure harmony and cooperation.

There were some strong arguments advanced in favor of this measure. It relieved the state of any immediate financial burden for new buildings and it prevented any ill feeling which might result from competition among the towns of the state for a consolidated university. If the elimination of duplicate work is brought about, however, it will eliminate the normal college from all except elementary work. The institution at Missoula does all that Dillon does and much more, for it has a larger faculty and better equipment. It would be impossible to divide the work in arts and sciences for this would necessitate constant trips on the part of the students between Dillon and Missoula. The Leighton bill means, further, that either the institution at Bozeman or the one at Missoula must become subordinate, for the different courses of college work are so intricately woven together that most of them must be given in one place.

At the meeting of the Board of Education in June, 1913, it was decided that the new university should become operative in July of that year, and that a committee be appointed to obviate all duplication. The problems of unification before the board are many and difficult, and they require the greatest wisdom and integrity for their solution. It is fortunate for the state that the present board has on it men of exceptional character and ability.

The defeat of consolidation did not discourage President Craighead. He continued his efforts to build up the university and provided new opportunities of study for its students. Attendance has greatly increased and the institution has been developed along larger lines. As now organized it consists of a college of liberal arts and sciences, and schools of engineering, law and education, and

for the years 1913-14 it is planned to add courses in business and journalism and a department of domestic science and household art, which will train the girls to be home-makers.

The prospects for the part of the university located at Missoula are encouraging. Situated in one of the most picturesque regions of the country, with a climate unsurpassed for health and pleasantness, it offers many inducements to students from all parts of the world. The Thirteenth General Assembly, doubled the appropriations for its maintenance, and already much needed equipment and many highly trained specialists have been added. Although the enrollment is still less than three hundred, the widespread interest in its development bids fair to increase the attendance to a thousand. The university belongs to the people of Montana and it stands ready to give them every service made possible by the support it receives. It has withstood the hardships of early youth, and now that it has reached man's estate, it is able to offer the best in all branches of learning that scholarship and culture afford.

Since the incorporation of all the other state institutions of learning with the university all rivalry and jealousy should cease. The whole university is working for the education of Montana and each department has its special work to do. In President Craighead the state has one of the world's greatest educators and with his energy and wisdom the University of Montana can count on a career of glorious development.

#### THE MONTANA STATE SCHOOL OF MINES

*By N. R. Leonard*

The history of Montana would be lacking in one important respect if it omitted a brief account of this educational institution.

Montana is popularly known as the Treasure State. Its rich placer mines with their wonderful supplies of the precious metals first introduced it to the civilized world, and the stream of gold thence derived had a most im-

portant effect upon the financial affairs of the United States in those dark days when the country we love was passing through the fiery trials connected with the Civil war and the scarcely less trying days when peace came and the financial reconstruction of prostrated industries furnished a problem of momentous import.

This national crisis no doubt led our wisest statesmen to consider anew the foundations of national prosperity. The past history of this country inspired them with a new conception of the important relation of the popular intelligence to the weal and safety of any nation, especially to one where the government was in the hands of the people. They saw that this intelligence should stand more nearly related to the practical life of the citizen. They felt that to the literary, scientific and classical schools which had done so much to advance the United States to such eminence as it had then attained amongst the nations of the earth, there should be added an industrial education that should stand in close relation with those vocations in which the great masses of our people were engaged.

We find thence the origin of those great land grants which were made for the establishment of schools of agriculture and mining, the two greatest of our industries.

So far as the state of Montana is concerned, this awakened perception of our lawmakers was voiced in the enabling act, under which the Dakota, Montana and Washington territories were admitted as sovereign states. This act was approved February 22, 1889,—an auspicious date in the history of the United States.

In the third paragraph of section 17 of that act we find a grant "To the State of Montana, one hundred thousand acres for the Establishment and Maintenance of a School of Mines." In other sections of this act, it is provided that these lands are to be selected "from the surveyed, unreserved, and unappropriated non-mineral public lands of the United States" lying within the limits of the state: Upon these lands a minimum selling price of ten dol-

lars per acre was fixed, with a privilege of leasing unsold portions thereof for the benefit of the school.

It was further provided in section 14 of the act that the several schools "provided for in the act shall forever remain under the exclusive control of the said states respectively." The last sentence of section 17 of the act declares that these lands "shall be held, appropriated and disposed of, exclusively for the purposes herein mentioned, in such manner as the legislatures of the respective states may severally provide."

This action of congress, taken at a time when the nation was staggering under the enormous debt incurred in consequence of the Civil war, indicates its sense of the great importance of the purpose for which the grant was made. Congress had no money to give, but it had public lands, and gave them. At the same time it showed good business judgment in forbidding the sale of those lands below the minimum of ten dollars per acre.

At first this latter provision seemed rather discouraging to the people of our state, but time has vindicated the wisdom of that provision. In table "2 B" of the report of the Register of State Lands of Montana for the year 1911-12, it will be found that 6,657.43 acres of School of Mines lands were sold that year for \$90,677.08, or an average of \$13.62 per acre. At this rate the entire grant should realize more than one million three hundred and sixty two thousand dollars. The probability is that it will reach a larger sum than this. According to the State Register's report for the year 1911-12, above referred to, only 33,374.47 acres of this grant have been sold, and more than 66,000 remained unsold. With the rapidly increasing immigration to Montana, these unsold lands are sure to appreciate in value, giving in the end an endowment of at least one million five hundred thousand dollars.

As fast as these lands are sold the proceeds are, both by the constitution of the state and by the conditions of the congressional grant, set apart as a permanent fund. The state



holds this fund in trust, loans or invests it and guarantees the fund against loss or diversion.

It is perhaps not fully understood that in the appropriations made biennially by our legislature for the maintenance of the School of Mines and the other state schools, the state really pays only such part of the sum appropriated as is not met by the income of the permanent fund. For example, the sum appropriated at the last session of our legislature for the maintenance of the School of Mines for the current years was thirty-two thousand five hundred dollars, but of this sum about three-fourths will consist of moneys paid into the state treasury for interest and rents which it has received from this permanent fund of the school and holds in trust for its support. There is every reason to suppose that in a very few years through additional sales of land, this income will exceed the total sum now appropriated and leave a very handsome balance for desired enlargement of the facilities now afforded at that institution.

It will readily be understood by what has been said above, that all the expenditures for buildings and grounds, or for any purpose outside of support and maintenance, has to be borne by the state.

This fact appears to have been understood by those who framed the constitution of our state, but for some reason our general assemblies interpreted the land grant in a different way up to and including March 15, 1905, on which date our state legislature authorized a bond issue of fifty thousand dollars for the payment of which it pledged the lands granted by congress for the support and maintenance of the Normal School at Dillon. The proceeds of this bond issue were to be devoted to the creation and furnishing of a new building for the Normal School.

The same course had been followed in the case of the other state educational institutions. An issue of one hundred and twenty thousand par value of bonds on like terms had provided the funds used in the erection of the first building for the School of Mines.

When the bill of architects Link and Haire for work done on the building that was being erected for the Normal School, was presented to State Treasurer Rice, he refused payment, and suit was brought by the architects. The supreme court of Montana held that in view of section 12, article 11, of our state constitution, and in view of section 11 of the Enabling Act, the bond issue was unauthorized and in conflict with that section of our Organic Act. The case was appealed to the United States supreme court, which affirmed the decision of our supreme court.

This decision affected alike all bonds that had been issued previously for the purchase of grounds or the erection of buildings for the other state institutions. The matter was settled by the state assuming responsibility for these bonds issued by its authority, and thus closed an unpleasant episode in our history. The net result was beneficial to the state institutions in that it left for their maintenance the full proceeds of the land grants, and as for the state treasury, it only placed upon it a burden which by the constitution of the state it should have assumed in the beginning.

The main building of the State School of Mines was erected in the years 1896-7. It was not carried to such completion as to fit it for occupancy until the year 1900. It had been determined that this school should be opened for the reception of pupils in the autumn of that year. The governor of the state appointed a new board of State School of Mines Commissioners, consisting of Ex-governor John E. Rickards, Judge William Y. Pemberton, James W. Forbis, Joseph V. Long and George E. Moulthrop, who were also to act as trustees of the school.

This board held its first meeting on January 15, 1900, and elected Ex-governor Rickards as permanent chairman and George E. Moulthrop as secretary. Mr. W. E. Donovan, the architect of the board under whose supervision the School of Mines building had been erected, appeared before the new board and called attention to the work needed in

preparing the building for occupancy. He also delivered to the board the old contracts, plans and specifications that had been used by the former board, together with existing insurance policies, reports and estimates which had been kept on file.

The records of this new board show frequent meetings during the winter of that year. In the month of April it was resolved to proceed to the election of a president and begin promptly the work of organization of the school, make the necessary repairs and secure the furniture and equipment required.

On May 2d, Nathan R. Leonard was elected president and instructed to prepare and report a plan of organization. This report was handed in at the succeeding meeting of the board.

In view of the later history of the state educational institutions of Montana, some points in this report may be mentioned here. It called attention to sections 1570 and 1575 of the Political Code of 1895, as indicating the field that the school was intended to occupy. It argued that it was the evident intention of the law that its energy should be restricted to that field. It furthermore noted that it was necessary that some branches embraced in the courses adopted at other state institutions should have a place in the curriculum of the School of Mines. It urged that these duplications of study should be kept at the lowest possible limit.

This policy has been so strictly adhered to up to the present time that when the presidents of the several state institutions by appointment of the board of education met in 1912 to consider the vexed question of the duplication of studies in their schools, it was unanimously agreed that there was nothing in the School of Mines course that was not a necessary element therein.

The report of the president recommended the creation of four professorships, whose field of labor was defined and an outline of a course of study was suggested. It also recommended that these professorships should be filled at as early a date as possible to the

intent that each professor might give his advice as to the equipment needed for his department.

This report was adopted, and by the end of the month of June the entire faculty had been selected. Meantime the work of repair grew more serious than had been expected, but it was energetically pushed to completion and the school was opened on September 11, 1900.

The faculty consisted of Nathan R. Leonard, president, and professor of mathematics, William G. King, professor of chemistry and metallurgy, Alexander N. Winchell, professor of geology and mineralogy, and Charles H. Bowman, professor of mechanics and mining engineering.

There was no authority for the creation of a preparatory department, but the need of such an addition was such that by the authority of the State Board of Education a preparatory department was opened on January 2, 1901, under charge of Prof. L. R. Foote.

The attendance that year was thirty-nine. It consisted of seventeen freshmen, three sophomores, one junior, ten students in special courses (contemplated by section 696 of the Code), and eight in the preparatory course.

The second year there was added to the teaching corps a professor of mining engineering, two assistants in the chemical department, and Hon. John B. Clayberg was appointed as lecturer on mining law. The first of these chairs was filled by the election of Albert B. Knight. In the spring of that year this valued member of the faculty resigned on account of ill health and was succeeded by Prof. E. H. McDonald. During this year a night school was opened for the accommodation of a class of young men who were engaged in business during the day time but were very desirous to avail themselves of the facilities afforded by the School of Mines with reference to some of the elementary principles of mining and mining law. This night school was discontinued at the close of that year for the reason that it could not be maintained without increasing the number

of professors, and for the further reason that the course of lectures on mining law by Judge Clayberg would partially accomplish the work of this night school.

The main features of the organization and work of the school remained substantially unchanged from this time until the erection of the second building in 1907. Meantime the great advance made in the high school system of Montana made it possible to dispense with the preparatory department. This was done at the close of the school year of 1904-5. (It may be worth while to say here that the School of Mines was the first of the state schools to abolish the preparatory course, the same claim having been made by a representative of another state institution being a mistake on his part.)

President Leonard retired from the office September 1, 1906, and was succeeded by Prof. Charles H. Bowman who had been a member of the faculty from the opening of the school in 1900.

The erection of the second building in 1907 was one of the important events in the history of the school. Within this building may now be found small but complete plants for the cyanidation of ores that are susceptible of that method of treatment. Like provision has also been made for the treatment of ores that have to be reduced by other methods. For this work large provision has been made. In one part of the building bins are located for the reception of ores, secured from various mining plants representing different kinds of ore. These bins are connected with a stamp mill where the ores are crushed and the product conveyed thence to the equipment adapted to its treatment.

Taken altogether, this building constitutes not merely a reduction plant, but a series of reduction plants, adapted to the handling of a large variety of ores according to the latest and most improved methods. While these several plants are spoken of as plants in miniature, they are each large enough to handle several tons of ore at a time, and for purposes of training are quite as useful as

they would be if of much larger dimensions. The entire system and arrangement is such as to permit a maximum of efficiency.

Before graduation each student must individually conduct each of these analyses, thus provided for, until he is thoroughly conversant with the processes required.

But it is impossible to give here in detail even a meagre outline of the entire work done in this school. It can be said that in all departments of instruction the same systematic, practical methods are employed with the intent that the diploma received at graduation shall represent all that it implies.

In addition to the work done in the classroom and laboratory, a large number of excursions are made by each class for the purpose of visiting mining and reduction plants in Montana and adjoining states, for the field study of the most interesting geology of this western country and for the purpose of comparing the relative efficiency of systems of mine work employed by the more successful mining companies.

The membership of the faculty has been increased from time to time as the needs of the school have required. At present the corps of instruction is composed of the following gentlemen: Charles H. Bowman, president and professor of metallurgy; George W. Craven, professor of mathematics and mechanics; Theodore Simons, professor of mining engineering; Darsie C. Bard, professor of geology and mineralogy; Lester J. Hartzell, professor of chemistry; Edward B. Howell, lecturer in mining law; Arthur E. Adami, assistant professor of mining engineering; Earle B. Young, instructor in mathematics and mechanics; M. F. Haley, assistant mill man, with Miss Charlotte Russell, librarian and register.

The graduating class of the present year numbered nine, making the total number of alumni at the present time ninety-eight. Of the eighty-nine alumni who went out previous to the present graduating class, it is known that ninety-four per cent are actively engaged in the professions for which they were edu-



cated, that is to say that practically all of them are returning to the public the service for which the endowment of the state and the nation afforded to them the education they have received. To this it should be added that even a larger number of those who have here pursued special courses are similarly engaged in pursuits connected with the mining profession.

MONTANA STATE COLLEGE OF AGRICULTURE  
AND MECHANIC ARTS

*By J. M. Hamilton*

On the 16th of February, 1893, Governor John E. Rickards signed the act passed by the third legislative assembly locating the State College of Agriculture and Mechanic Arts at Bozeman. This institution originated in the first Morrill Act of Congress, July 2, 1862. This law made a donation of land to the amount of 30,000 acres to each state for each senator and each representative in congress. The proceeds from the sale of the land is invested as a permanent fund, the income from which is used for the maintenance of the college. Montana secured 90,000 acres of land under this law, to which congress added 50,000 acres in the Enabling Act of 1888, making a total land grant of 140,000 acres. This can not be disposed of for less than \$10.00 per acre. In 1887 congress passed the Hatch Act creating experiment stations in connection with the Land Grant Colleges and making an annual appropriation of \$15,000 for the support of each one. In 1890 congress passed the second Morrill Act making an annual appropriation of \$25,000 to each of the Colleges of Agriculture and Mechanic Arts. The appropriation to the experiment station was doubled by the Adams Act of 1904 and the same was done for the college appropriation by the Nelson Act of 1907. In addition to the income from the land grant, the college receives \$50,000 annually from the United States government and the experiment station \$30,000.

The first Morrill Act prescribes that all

moneys derived from the land grant shall go "to the endowment, support and maintenance of at least one college, where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts." The second Morrill Act declares that the annual appropriation shall "be applied only to instruction in agriculture and the mechanic arts, the English language and the various branches of mathematical, physical, natural and economic science with special reference to their applications in the industry of life, and to the facilities for such instruction."

The State Board of Education met in Bozeman, March 21, 1893, and selected the site for the college campus and the experiment farm. The campus of sixty acres was the gift of citizens of Bozeman and largely that of Nelson Story, Sr. The county poor farm, consisting of 160 acres was donated, one-half by Gallatin county and one-half by citizens of the county for an experimental farm. The first executive board consisted of L. S. Willson, Peter Koch, Walter Cooper, all of Bozeman, and E. H. Talcott of Livingston and George Kinkel of Manhattan. Instruction began April 17th and continued ten weeks during which time Luther Foster was acting head and eight students were enrolled. The first year of regular work opened September 15th with the following faculty: A. M. Ryon, president and head of the department of engineering; S. M. Emery, director of the experiment station and horticulturist; Luther Foster, agriculture and botany; F. W. Trap-hagen, chemistry; R. E. Chandler, mathematics and engineering; B. F. Maiden, English; H. G. Phelps, commercial subjects. College courses were offered in engineering, agriculture and domestic science. There was also a preparatory school, a business course and a music department.

The college had no buildings and the instruction was carried on in a public school building and the old academy building on

Main street. In 1897 President Ryan was superseded by James Reid, who remained the head of the institution for ten years. The fourth legislative assembly, 1895, passed an act to bond the 50,000 acre land grant made in the Enabling Act, for \$100,000 to construct buildings. College Hall, the chemistry building, and the shop were erected out of the proceeds of this bond issue. These bonds were afterwards declared void by the state supreme court and by act of the legislature assembly, 1907, state bonds were issued in lieu thereof. The cornerstone of the main building was laid October 21, 1896. Hon. E. C. Day of Helena acted as Grand Master and the stone was laid with the usual Masonic rites. Governor Rickards delivered the principal address. The buildings were completed and occupied in 1897. In 1907, an appropriation of \$80,000 was made for an agricultural and domestic science building and in 1912 a dormitory for girls was erected at a cost of \$50,000. In addition to these buildings, a dairy barn was built in 1904 costing \$13,500 and since then other barns and farm buildings have been erected. The original campus has almost been doubled and another quarter section added to the farm. In 1908 the state authorities turned over to the college the buildings and ground belonging to old Fort Ellis. At the present time the assets of the institution are as follows: Campus and farms \$118,000; equipment consisting of apparatus, furniture, books and live stock \$156,450; buildings \$297,500, making a total of \$571,950 worth of property.

There are 12,500 volumes in the library exclusive of public documents. The faculty consists of 41 members and there are 14 additional members on the experiment station staff.

The number of students has increased with the material growth. From the eight students who enrolled in the spring of 1893 the number has steadily grown until 557 different persons received instruction during the past year. At first only one year of preparatory work was required for admission to the freshman class. Gradually the requirement has been increased

until in 1908 a full four-year high school course was made the standard for admission. The college as intended by the acts of congress, has grown into a strong technical institution. Courses are maintained in agriculture, including animal husbandry, dairying and horticulture; engineering, including civil, electrical and mechanical; home economics, biology, chemistry, pharmacy and vocational English. Art and music receive considerable attention.

Student activities outside of the regular class work have been developed and most of the organizations usually belonging to a college are maintained. In May, 1895, the *Exponent*, the college paper was issued as a monthly. In January, 1910, it became a weekly. This paper edited and published by the students contains the most complete history of the college. Athletics, while not usurping unduly the attention of the students have always been encouraged. The first foot ball team was organized in 1897 and basket ball was introduced in 1900. Track and baseball have been maintained for several years and tennis is popular. Since 1911 an annual high school basketball tournament has been held, teams from the accredited high schools participating. Student musical organizations have always taken high rank. The band was organized in 1907. Two glee clubs are maintained, one for young women and the other for young men. An orchestra was organized during the past year. Since 1900 the college has been represented in the state oratorical contests and for several years debating teams have met other teams of colleges within and without the state. The Young Men's and Young Women's Christian Associations promote the moral welfare of the students, while clubs maintained by the students in agriculture, engineering, home economics, etc., afford ample opportunity for technical training.

The motto of the college is "Education for Efficiency," and the aim is to fit young men and women for a definite kind of work. The colors are "Blue and Gold."

## MONTANA STATE NORMAL COLLEGE

*J. E. Monroe, Acting President*

During the biennial period, which ends with November 30th, the Montana State Normal College has made definite progress towards the attainment of conditions for the ideal training of teachers. Without yielding to the temptation of endeavoring to increase the numbers on the students' roster, by offering courses of study which do not have in their primary object the training of teachers for work in the elementary schools of the state, the growth in numbers, while not rapid, has been steady. The increase in attendance has been hindered greatly during the past two years by unfortunate conditions connected with the building and heating constructions in progress during the time of school session, and, in a large measure, in my judgment, by a lack of energy in bringing its work to the attention of the people of the state by legitimate advertising. Notwithstanding these hindrances, there has been a gradual increase in the numbers of different students enrolled. For the year ending November 30, 1911, 255 students enrolled, 11 more than the aggregate enrollment of any previous year; while for the year ending November 30, 1912, the enrollment totals 298, 43 more than any enrollment of any previous similar period. Each year the enrollment shows a representation from every county in the state. Correspondence now indicates that a very substantial increase over this number will be had during the remainder of the school year now in progress. During the year which ended November 30, 1911, 31 students were graduated from the Normal College, five from the four-year course, who received the degree B. Pd., and 26 from the three-year course. During the past year, 25 were graduated, six receiving the degree B. Pd., and 19 completed the three-year course; all of these with three exceptions are engaged in teaching at present in Montana or Idaho; two of these three married, and left the profession, and the third, after beginning what promised a successful career in teach-

ing, was stricken with illness, which, after a short duration, ended in death.

The Normal College has held steadfastly to the ideal that successful teaching requires professional training, and effective training can be based only on sound scholarship. For this reason, an amount of academic and collegiate work has been required in connection with the course in training, greater in amount than is required generally in normal schools.

From the very nature of the situation, that high school students are generally immature in age, and not generally inclined to careful, thoughtful reasoning upon the problems which confront them, and that, as yet, a large part of the faculties of our high schools have not been trained for teaching, it follows as a matter of course that many of our high school students have never been "taught" but have simply "learned" subject matter. This has made it appear necessary to maintain courses in connection with the Normal College, and require students to pursue subjects which they thought they had finished in high schools.

The scholastic year has been divided into four quarters, of 12 weeks each, during the past year, instead of semesters of 20 weeks, as formerly. The fourth quarter has become available to a class of teachers, who desire to advance along both scholastic and professional lines. That there is a real demand for such work for teachers on the part of the teachers themselves is evidenced by an increase in attendance of 34 per cent in the summer of 1912, over that of the summer of 1911, at the Normal College.

The equipment of the school compares favorably with the best training schools of the country; but additions must be made to this, to keep the college in front rank. The addition of domestic science, rural school training, and kindergarten work is expected for the coming biennial period.

The training school is one of the most thoroughly organized and practical of those connected with Normal School throughout the country. Instead of being a "model school" it is a city school system, presenting



every phase of organization and instruction that is to be found in the ordinary school system in the same way these problems occur in such a system. Pupil teachers trained in this way have actual, practical experience in teaching.

The school buildings are commodious and well adapted in their purpose, and are situated on a campus, which, though small, is beautiful and well kept. The dormitories are well arranged and have space to provide homes for 120 young women; while a large number of both sexes may be accommodated for meals in the dining rooms, where the fare is excellent and the cost nominal.

The faculty of the college proper consists of 16 members, to which should be added 14 critic teachers of the training school.

The appropriation of \$41,820 for each of the fiscal years of this biennial period, barely suffice to maintain the work of the school, as organized at present. To increase its usefulness by expanding into those fields, made so important by the rise of the vocational idea of school work, a larger appropriation will be necessary for the succeeding biennial period.

The buildings approximate in value \$190,000; the ground \$15,000; the equipment, \$20,000. Upon the buildings, an insurance of \$80,000 is carried.

The demand for teachers trained at the Normal College is far greater than the supply. During the past two weeks, applications for 11 teachers for the elementary school positions have been received, in which trained teachers were required, and we have no one to send in response to the demand. With a liberal policy, such as has characterized the state board of education and the legislative assemblies in the past continued, and continued commensurate with the increasing demands in the educational field, the Montana State Normal College will be enabled to contribute in a much larger measure to the advancement of the educational work, than has been possible heretofore, although there is much rea-

son for gratification in the amount of work that it has been able to accomplish already.

#### MONTANA SCHOOL FOR THE DEAF AND THE BLIND

The Montana School for Deaf and Blind and Backward Children consists of 40 acres of land and five brick buildings, three frame buildings, water tower and is valued at \$200,000. The ranch consists of 370 acres of land with good buildings, is valued at \$26,500, and the new building for backward children is valued at \$80,000. At present there are ten literary teachers and six teachers of manual training and domestic sciences. The total enrollment for 1911 was 185. Of these 60 were in the department for the deaf, 35 in the department for the blind and 90 in the department for backward children. These institutions are located in Boulder.

#### THE STATE REFORM SCHOOL

The work of this institution is from the first to the eighth grades. The regular state course of study is followed, under the supervision of the State Board of Education. School continues the year around. This institution is located at Miles City to which delinquents are sent by the various district courts of the state for infractions of the law.

#### THE STATE ORPHANS' HOME

This state institution is situated at Twin Bridges, and in 1912 had an enrollment of 102 inmates. Part of the property of this institution consists of 108 acres of land, and the total value of the realty and improvements erected thereon is \$170,000.

#### MONTANA WESLEYAN UNIVERSITY

This school is under the patronage of the Methodist Episcopal church but it is in no sense sectarian. It was founded in 1888, opened for students in 1890 and has been in continuous operation ever since. Its first location, five miles out from the city of Helena,

northward in the Prickly Pear valley, after the street car service was discontinued, made it necessary that its management should make other arrangements. Accordingly some buildings were secured in the heart of the city of Helena some 12 years ago and the school was transferred to the city. Through the generosity of Mr. Henry Klein, of the firm of Gans & Klein, a donation of over \$16,000 came to the school. It was from this fund that the trustees were able to secure the tract of ground, 22 acres in extent, two and a half blocks from the Capitol grounds, calling it the Klein Campus out of respect to the name of the generous donor. The original building in the valley, a fine specimen of architectural beauty, costing approximately \$50,000, is now under lease to the Deaconess Association and used for their school, reported elsewhere in this volume. In addition to the properties already named, the school has considerable real estate in various parts of the state, totaling over 300 acres.

#### MONTANA DEACONESS SCHOOL

The Montana Deaconess School is situated five miles due north of Helena, in the Prickly Pear valley; it utilizes the old Montana Wesleyan University building abandoned some thirteen years ago. The long unused building was brought to some semblance of order and repair by deaconesses of the Methodist Episcopal church and a boarding school for boys and girls opened in September, 1909. While under the auspices of the Methodists it is in no sense of the word sectarian. Its purpose is to provide a school and home for children who for various reasons find it necessary to attend school away from home.

High moral standards are constantly kept before the pupils; efficient teachers keep the scholastics up to par; and various outdoor exercises and sports intended to secure the best results in physical growth combine to make the institution ideal for mental, physical and moral development.

It is now three years old having made improvements on the aforementioned building to the amount of \$14,000.00, making it a comfortable and attractive educational center. It has an enrollment of 59 pupils with a faculty in the educational department of six and in the home department of four, deaconesses who give their services.

#### THE COLLEGE OF MONTANA

##### DEER LODGE

The College of Montana was chartered in 1884 and was opened in 1885. It was the first college in this state and was a pioneer in educational work in the Northwest.

The college campus contains seventeen acres. The institution is housed by five buildings: two dormitories, a manual training building, a heating and lighting plant, and one building containing class-rooms and laboratories. The excavation has already been made for a new gymnasium, to cost about \$20,000.

The college has an endowment fund of \$100,000 from which it derives an annual income of \$6,700. Students' fees amount to about \$10,000, and gifts average about \$2,500 a year.

#### BILLINGS POLYTECHNIC INSTITUTE

This Institution was founded in 1908 through the generosity and far-sightedness of Hon. John D. Losekamp and other public spirited Billings citizens. Mr. Losekamp, who was the author of the present high school law of Montana had long felt that there was a great need in this state for an institution of learning that would meet the need of that great number of young people who did not fit into the regular public school system, and had long been planning how to organize a school that would meet this need and thus supplement the state educational institutions and the public schools in giving all the young people of Montana a training of useful citizenship.

## PLAN OF THIS UNIQUE SCHOOL

First and foremost the school plans to train boys and girls for all-round useful citizenship. The managers of the institution realize that the class-room work can fill but a small part of this training. It is a well known fact that many boys and girls who are sent to distant cities to attend classes in the state institutions and county high schools do not have the care and attention outside of the class room which develop self-control and good habits and for this reason they do not get the training which is most essential to useful citizenship.

The Polytechnic controls the environment of its students 24 hours each day and seven days each week. In order to do this the institution has been built on a large irrigated farm three miles from Billings. This splendid farm is a gift of Mr. James J. Hill, who is deeply interested in the plan and purposes of the school. Here on this farm with its gardens, orchards, dairy and the fine farm crops is built a little community which has been organized into a complete self-governing state.

The officers which consist of Governor, Lieutenant-governor, Secretary-of-state, Chief Justice, Trial Judge, State Marshal and Legislators are elected by the citizens of the state. It is doubtful if there is a better governed community in the world than this little student republic. Its laws are just and are conscientiously enforced. The young man who spends a few years in this community is trained to become a statesman and is ready to take a leading part in public affairs of his community.

The industries which are connected with the school include the raising of all kinds of farm crops on irrigated and dry land, the caring for fruit, the canning of vegetables, caring for stock, making of butter, the care of poultry and bees, the building of the various buildings, carpentry, blacksmithing, plumbing and furniture making. These various industries give the self-supporting student an opportunity of working his way through school. Practical courses are offered in commerce,

normal training for rural and graded school teachers, preparatory engineering, practical agriculture, domestic science and music. There are no entrance requirements. Students of any stage of advancement are received and their school work is adapted to their individual needs. The students maintain a non-sectarian church, literary societies, and an athletic association. The aim of the managers is to train them in every department of life and to surround them while at the Polytechnic with many interests in order that their minds may be occupied with things worth while.

## WHAT THE SCHOOL HAS IN THE WAY OF EQUIPMENT

The institution is four years old. It receives no aid from the state. All that it has has been given to it by those interested in its plans and purposes. Mr. James J. Hill of St. Paul, has given \$25,000 in cash which has been invested in the farm. The citizens of Billings have given nearly \$100,000 more for the erection of buildings and the purchase of equipment.

One thousand friends in different parts of the United States are giving regularly towards its maintenance. At the present it has accommodations for one hundred young people and preparations are being made to double the capacity this coming year. Applications for admission indicate that five hundred young people will be in attendance as soon as accommodations can be provided for them.

In addition to the foregoing institutions of learning maintained either by the state or privately, there is the State Insane Asylum at Warm Springs, recently acquired from Mitchell and Musigbrod, who for many years owned this institution and took care of the mentally infirm under contract with the state of Montana. It is modern in every respect.

The State Penitentiary is located at Deer Lodge. It is owned and maintained by the state. Many of the buildings have been constructed by the inmates themselves and are



massive and adapted to the needs of an institution of this kind.

#### THE MONTANA STATE TUBERCULOSIS SANITARIUM

This institution, so important to the interests of labor, is the result of the labors of Hon. J. E. McNally of Butte, who was the father of the law under which it was created. The sanitarium will be furnished with buildings and equipment sufficient to provide for the accommodation and treatment of all persons in the state in need of relief from the ravages of the "great white plague." The sanitarium will always stand as a monument to the author of the law and to those who assisted him in securing the legal provisions for

the establishment and maintenance of this new institution which is of so great importance to the health and welfare of the public.

In 1911, the legislature appropriated \$20,000 for the purpose of building and equipping a hospital to be known as the "Montana State Tuberculosis Sanitarium." This amount of money was not sufficient to even make a start at erecting an institution of this character. However, the matter was brought to the attention of the Anaconda Copper Mining Company, which donated the sum of \$25,000, and this together with the \$20,000 appropriated by the state enabled the board of examiners to erect a very creditable institution consisting of an executive building with two wings, six cottages, barn and chicken house.

## CHAPTER XXVI

### RELIGION—THE CHURCHES

There is no state in the Union in which the different churches have exerted a more potent and beneficial influence. Each one has filled its particular niche nobly and well and a prominent member of each shall tell its story.

#### THE CATHOLIC CHURCH IN MONTANA.

*By Rev. M. O'D. Barry.*

We now part with the Indians and give a brief account of the church's work among the whites of Montana. Its history to date covers a period of fifty years. Until the year 1863 no settlement of white people existed in what, by act of congress on May 26, 1864, became Montana Territory, and the first colony is coeval with the opening of the gold mines.

The first Catholic church for whites was built in a place with the ominous name of Hell Gate by Father Urban Grassi, S. J., in 1863, accommodating at once the few inhabitants of the village as well as those of the adjacent Missoula Mills. This chapel in later years was hauled to Missoula, serving as a school. In the same year, 1863, Father Giorda, S. J., visited Virginia City, which was fast becoming the mecca of goldseekers in the West. He arrived there on October 31st and said the first mass on the next day, the Feast of All Saints. By 1865 the new Alder Gulch community could claim 10,000 inhabitants, a large percentage of whom were Catholics. A few days before Christmas of that year a frame building that was used as a playhouse was purchased and fitted up for a chapel under the title of All Saints. It is pleasant to recall that General Thomas Francis Meagher delivered a most eloquent address of welcome

to the Catholic priest and that the altar boy who served Father Giorda's mass was a noted prizefighter. This mission was attended by the Jesuit Fathers until the fall of 1873, when Rev. Frank J. Kelleher was assigned to the place by the Right Rev. James O'Gorman, Bishop of Omaha. The Father arrived in 1873 and remained in charge for eleven years. He labored with zeal, endearing himself to all classes of people throughout Madison and Beaverhead counties. Having secured a small colony of Sisters of Charity from Leavenworth, Kansas, in 1876 he opened St. Mary's Hospital in what had been the former courthouse of Virginia City. This hospital was a boon to the camp until it was abandoned in 1879. Virginia City has since suffered the fate of many a once famous mining camp and is now attended from Laurin, one of its former missions.

In 1864 the farming community of Frenchtown had a little chapel which was attended by the Jesuit Fathers until 1884. Later on it was transformed into a priest's residence by Rev. L. S. Tremblay of Montreal, who built in its stead a substantial church edifice. Frenchtown is today a flourishing Catholic community.

Next in turn comes Helena, capital of Montana since 1875, when the seat of government was transferred from Virginia City. The Catholic church here dates from 1865. A frame structure was built and dedicated to the Sacred Hearts of Jesus and Mary on the feast of All Saints, 1866, by Father Kuppens, S. J. In 1876 a larger edifice of brick and stone was completed in order to accommodate the increasing Catholic population. In 1869 Father DeSmet secured the Sisters of Charity of

Leavenworth, Kansas, who established successively St. Vincent's Academy, 1869; St. John's Hospital; 1870, St. Jerome's Orphanage which developed in 1893 into what is known today as the St. Joseph's Orphans' Home. Until the year 1883, when the Vicariate Apostolic of Montana was erected, with the Rt. Rev. John Baptist Brondel, D. D., Bishop of Vancouver Island, as administrator, Montana had belonged to two Vicariates. The territory west of the Rocky mountains, embracing two counties, was under the jurisdiction of the Vicar Apostolic of Idaho, who was at the same time Archbishop of Oregon, and whose residence, consequently, was more than eleven hundred miles from this part of his charge. The eastern section, comprising nine counties, formed a part of the Vicariate Apostolic of Nebraska, and was more than twelve hundred miles from the Episcopal See.

In the spring of 1877, the first episcopal visitation to eastern Montana was made by Rt. Rev. Bishop J. O'Connor, Vicar Apostolic of Nebraska. In this visit he confirmed over two hundred persons, children and adults. The impression made on the bishop was most favorable and lasting. In a letter addressed to the Rev. Pastor of Helena, March 31, 1879, Bishop O'Connor, referring to the people of Montana, writes: "It may be that I saw only the bright side of their characters, but certain it is I never met a people with whom I was better pleased."

The Most Rev. Archbishop Seghers, the coadjutor to the Archbishop of Oregon City, visited the western part of Montana in 1879, and was no less favorably impressed than Bishop O'Connor.

On April 7, 1883, the Vicariate Apostolic of Montana was erected, and on March 7, 1884, it became the Diocese of Helena, with the Right Rev. J. B. Brondel, its administrator, for its first bishop. He received episcopal consecration on December 14, 1879, at Victoria, Vancouver Island, of which he became bishop. When Helena was made the Episcopal See, the church and residence of the

Jesuit Fathers became respectively the bishop's cathedral and residence.

Now that Helena had become an Episcopal See, a change in church administration naturally followed. However, because of the scarcity of diocesan priests, the Jesuit Fathers continued to assist the bishop at the cathedral until 1894, when the Rev. L. B. Palladino was called away by his superiors. The people of Helena much regretted his departure after a stay among them of twenty-two years.

During the administration of Bishop Brondel considerable building was done in Helena. A substantial brick residence was built for the bishop and priests of the cathedral parish. The House of the Good Shepherd—a place of refuge for fallen women—came into existence in 1889; the St. Helena's church was built the same year; St. Aloysius parochial school was erected in 1890; the primitive St. Jerome's Orphans' Home of Catholic Hill gave place to the St. Joseph's Orphans' Home, a modern three-story structure just below the city limits, in 1893; the St. John's Hospital was rebuilt and more than doubled in capacity. The St. Vincent's Academy was replaced by the handsome and conspicuous structure of the present day. Nor did the pioneer bishop mean to stop there. He was sighing—longing for the day when he could see here a great stone church with lofty spires and a bell tower, able to accommodate a set of chimes—a church with a great auditorium. It was to come, to come soon too, but not in his time, as he feared.

The growth of the diocese outside of the city of Helena kept pace to a great extent with its development in the Episcopal See. Forty-nine churches, four modern hospitals, five up-to-date academies and seven substantial parochial schools were built in different parts of the diocese. Among them were the brick churches of Great Falls, Anaconda and Missoula, the hospital and academy of Missoula. But the most wonderful development took place in Butte City. When, on his arrival in Montana, Bishop Brondel drove to Butte from Missoula, the then eastern terminal of the Northern Pacific Railway, all he found



in Butte was a modest frame church on the present site of St. Patrick's; one resident priest and a small hospital served by less than half a dozen Sisters of Charity. At his death, in 1903, there were six good sized parish churches, nine priests, four parochial schools with two scores of teachers and 1,700 pupils, and the modern St. James Hospital with seventeen Sisters of Charity caring for an average of 2,000 patients a year.

The growth of the diocese during the administration of the first bishop will be seen at a glance from the following table:

	1884.	1903.
Diocesan priests .....	4	38
Regular priests .....	12	15
Churches .....	16	65
Hospitals .....	4	8
Academies .....	2	7
Parochial schools .....	2	9
Orphans' home .....	..	1
House of Good Shepherd ...	..	1
Ecclesiastical students .....	1	13
Indian schools .....	2	10
Catholic population .....	15,000	50,000

At the time of the withdrawal of the government appropriations one thousand school children boarded at the Catholic Indian schools.

These statistics give but an inadequate idea of the progress of the church in Montana since the bishop's advent.

Besides the erection of numerous new structures, the buildings prior to 1884 have, in almost every case, been enlarged, remodeled or rebuilt. The work required to bring about this remarkable growth will appear more striking from a consideration of the extent and nature of the territory.

The diocese of Helena was co-extensive with the state of Montana, which covers an area of 146,080 square miles. Generally speaking, it was a sparsely settled country. To visit its Catholic population, the bishop had to travel not less than an average of 3,000 miles a year; sometimes, it is true, in Pullman cars, but more often in primitive stage coaches

over rough and not less primitive and dangerous mountain roads. Besides the extensive journeyings in his own diocese, long and arduous trips were undertaken outside of the state for the welfare of his flock. In 1884 he attended the Third Plenary Council at Baltimore. Provincial matters have repeatedly called him to Portland, a distance of 1,000 miles. The interests of the Indians of his diocese, which the bishop has always had at heart, induced him to undertake collecting tours in the East. The proceeds of the first tour in 1885, amounting to \$5,000, enabled him to establish a mission in the midst of the most warlike of his children, his beloved Cheyennes.

Speak to the Cheyennes of their Mache Mache Wio—Great White Man from Above—and they will recount with gratitude his successful efforts in obtaining from the Great Father at Washington recognition of their wishes to retain, as a reservation, their old Tongue River home. Nor do they forget how in 1885 he enlisted the good services of Governor Hauser in obtaining from the government the sum of \$11,000 to rescue them from starvation.

At the request of the Bureau of Catholic Missions, Bishop Brondel in 1889-1900 spoke in all of the larger churches in Philadelphia, Boston and New York in behalf of the Catholic Indian schools of the United States. On this occasion he collected about \$10,000.

The Right Rev. John B. Brondel lived to see a realization of the words of the Right Rev. James O'Connor of Omaha, written in 1879: "The day is not distant when Montana will become one of the most fruitful and flourishing, as well as the most beautiful portions of God's vineyard."

On Friday, October 23, 1903, the bishop issued a brief circular to the clergy. In this circular—destined to be his last—he makes mention of the year's visitations, and closes with these words: "Everywhere we have witnessed the devotion of the clergy, the piety of the people, and the progress of our holy religion. We have, therefore, reason to thank God, and to congratulate our beloved co-la-

borers wishing them all Godspeed in the great work of building up the holy Catholic Church in our diocese."

Bishop Brondel was called to his reward November 3, 1903. The last Friday of his life witnessed his last administrative act, which was the initiative in a great move, resulting in the erection of a second diocese within the confines of the state of Montana. He summoned his consultants to Helena to name three candidates for the new Episcopal See of Great Falls. His last official signature was affixed to the minutes of this meeting addressed to His Eminence Cardinal Gotti, Prefect of the Congregation of the Propaganda in Rome.

The new diocese of Great Falls, comprising the eastern part of the state of Montana, was established by Pope Pius X, May 18, 1904. The Very Rev. Mathias Clement Lenihan was consecrated its first bishop September 21, 1904, at St. Raphael's Cathedral, Dubuque, Ia. Since his coming to the new diocese he has devoted his energies to advocating total abstinence, to initiating a parochial school system and to the erection of a cut stone cathedral in his episcopal city. The Sisters of Providence have erected a modern orphans' home, and the Ursuline Sisters a splendid academy, both in Great Falls. New parishes have been created and new churches are being erected in nearly every city of his diocese. The Catholic population has increased from 10,000 to 25,000 since his advent. The diocesan clergy have grown in proportion. The following table taken from the Official Catholic Directory records the growth of the young diocese:

	1904.	1913.
Diocesan priests .....	12	34
Regular .....	5	9
Churches .....	24	60
Academies .....	3	4
Pupils .....	250	885
Indian schools .....	4	4
Pupils in Indian schools .....	360	549
Orphans' home .....	..	1
Hospitals .....	4	7

Returning to the See of Helena—the Very Rev. John P. Carroll, president of St. Joseph's College in Dubuque, was appointed Bishop of Helena, September 12, 1904, was consecrated in the Cathedral of Dubuque on December 21st of the same year, and was officially installed at the Cathedral of Helena, January 31, 1905.

Coming as an educator, he lent his first efforts and ability to the grand cause of Christian education. Beginning at home, Bishop Carroll, before undertaking any other work of importance, set about building the St. Helena's school, which was pronounced by a New York school inspector the most perfect school building in the United States, not only from an architectural point of view but from a pedagogical and hygienic point of view as well. Besides the ordinary school accommodations, it has also thoroughly modern clubrooms for the Catholic young men of the city. Not satisfied with elementary facilities, he next erected on what was known as Capitol Hill, Mount St. Charles College, which is an ornament to the city, as well as a benefit to the diocese at large. The course of studies supplied within its walls has received the warmest encomiums from the press in the East.

Next, crossing the range to Butte, he gave a new impetus to Catholic education in the mining metropolis. Besides creating the new parish of the Immaculate Conception and with it a new parochial school, and erecting the new schools of St. Joseph's and St. Mary's and Holy Saviour's parishes, he led in the movement which culminated in the establishment of the Central Catholic high school for Silver Bow county. Passing thence to Anaconda, he made it possible for St. Peter's parish to enjoy today the benefits of an up-to-date grammar and high school and club house, and St. Paul's parish a parochial school. At Missoula also there has been reared up a magnificent high school for boys in charge of the Jesuit Fathers. And to increase the efficiency of his teaching communities, he made it obligatory on all teachers in the diocese to attend the yearly institute given in Helena. This

led to the establishment of the Catholic Educational Association of the diocese. In church building since he has taken hold of the reins of administration, many parishes have been endowed with some splendid and commodious churches. Worthy of special mention are the new churches of St. Mary's at Helena, the Immaculate Conception and St. Joseph's of Butte, the Immaculate Conception at Deer Lodge, St. Matthew's church in Kalispell and Holy Rosary at Bozeman. In this line the crowning glory of the West is the St. Helena Cathedral erected in Helena. Standing in a central and most conspicuous part of the capital city, it is built in decorated Gothic style. It is modeled after the celebrated Votive church in Vienna, itself a copy of the world-renowned Cathedral of Cologne. Work on the cathedral was begun September, 1909. The cornerstone was laid on October 4th, following. The golden crosses were put on top of the twin spires in June, 1912. At the present writing the interior remains unfinished. Up to date an even dozen of new parishes have been erected in the diocese since the advent of Bishop Carroll, viz: St. Mary's, Helena; St. Ann's, East Helena; Immaculate Conception, Butte, Valier, Libby, Whitefish, Three Forks, Whitehall, Helmville, Harlowton, Plains and Polson.

Nor were charitable institutions lost sight of. As a proof of it we have the vast House of the Good Shepherd, built at the foot of Mt. Helena, and the new hospital of the Sisters of Mercy in Kalispell. Besides these Sisters of Mercy, whose mother house is in Cedar Rapids, Ia., Bishop Carroll secured two other new communities for teaching purposes, viz: the Sisters of Charity of the Blessed Virgin Mary of Dubuque, and the Sisters of St. Dominic, also of Dubuque, located respectively in Butte and Anaconda.

Bishop Carroll, however, considered as his chief work the securing of priests for his diocese. From the day of his arrival he has labored unceasingly to increase the number of laborers in the vineyard of the Lord. The result of his efforts is a growth from 24 to

58 diocesan priests. The following statistics summarize the progress of Catholicism in the diocese of Helena during the incumbency of the present bishop:

	1905.	1913.
Churches with resident priests	22	36
Missions with churches . . . . .	28	39
Total churches . . . . .	50	75
Parishes with parochial schools	9	21
Parishes with high schools . . .	4	7
Total of young people in Catholic institutions . . . . .	3,454	6,315
Catholic population . . . . .	36,500	62,000

#### PROTESTANT EPISCOPAL CHURCH.

*By Rev. Francis R. Bateman, Helena, Montana.*

The history of the Protestant Episcopal church in this state is the story of the labors of two men, the Right Reverend Daniel Sylvester Tuttle, D. D., and the Right Reverend Leigh Richmond Brewer, D. D., the former for 13 years and the latter for 33.

Bishop Tuttle was consecrated in Trinity Chapel, New York, in 1867, at the age of 30, his Episcopal charge being Montana, Idaho, and Utah, a territory embracing 316,546 square miles, equal to five and one-half times that of England and Wales, and nearly equal to the total area of France and Spain. Accompanied by the Rev. E. N. Stoddard, he began his work at Virginia City, then a town of 2,000 people, where he built the first church at a cost of \$3,500. A Methodist minister and a Roman Catholic priest were already there and the following year Reverend Stoddard became resident minister, his wife having joined him. The bishop then started on his first visitation, holding services at Helena, Deer Lodge, Bozeman, Gallatin, Blackfoot and Bannack.

In 1867 Helena was a town of 4,000, and on August 11th, Bishop Tuttle and Mr. Stoddard held their first services in the courthouse, Mr. Stoddard remaining until November when he returned East. The next month the bishop



assumed charge and continued the work for seven months, services being held in the courthouse. On Easter Day, 1869, nine persons received the Holy Communion, while shortly afterwards twelve persons were confirmed.

After this the bishop left for a visitation of his territory, traveling 1,245 miles and holding services in churches where they existed and also in saloons, billiard halls and log cabins, traveling from one to another by stage, on horseback or on foot. The Pullman was not yet.

At the beginning of 1870 there was only one clergyman in Montana and the bishop visited twelve places, much time being consumed in traveling, the records showing only three celebrations of the Holy Communion, ten baptisms, two marriages and one burial in an absence from home of nearly seven weeks.

Clergymen were hard to get and hard to retain and after an absence from home the bishop never knew what he would find on his return.

In 1875, however, there were four clergymen, the Reverends E. G. Pront, E. L. Toy, M. H. Gilbert (afterwards bishop-coadjutor of Minnesota), and I. E. Dickey of whom Mr. Dickey and Mr. Toy are still living.

The record for the year gives 34 baptisms, 31 confirmations, 116 communicants, 17 Sunday school teachers and 141 scholars, while services were held in 28 places.

In 1876 the second church was built, at Bozeman, by the Reverend Mr. Dickey. By this time the church was becoming rooted in Montana. Churches were built, larger numbers of persons were confirmed and clergymen came.

In 1877 a church was built in Deer Lodge, in 1879 one in Helena and one in Benton, while in the same year the Rev. F. B. Lewis came to Bozeman, the Rev. C. O. Tillotson to Deer Lodge, and Butte, the Rev. S. C. Blackiston as general missionary. Settling later at Benton the Rev. H. E. Clowes took up the general work and the Rev. H. C. Hutchings came to Deer Lodge. The last report of Bishop Tuttle for this part of his territory gave 51 confirma-

tions, 368 communicants and 487 Sunday school teachers. The first child baptized in Helena was Norman Bernard Holter, now a vestryman in St. Peter's parish, the eldest son of Mrs. A. M. Holter of blessed memory.

It was apostolic work and involved apostolic hardships and discouragements. Moreover the field was obviously too great for one bishop and it was no wonder that Bishop Tuttle sought relief from a part of his immense jurisdiction. This was granted and in 1880 Montana was separated, Bishop Brewer becoming its chief pastor, Bishop Tuttle retaining Idaho and Utah. His work there lies outside the scope of this sketch, but he remained there until 1886 when he became Bishop of Missouri and subsequently, by seniority of consecration, presiding bishop. The young bishop, who at thirty years of age came to Montana, is still, at the age of seventy-six and after forty-six years in the Episcopate, active and vigorous. He is beloved, as few men are wherever he has labored, and he had been honored by schools of learning at home and abroad. His work, his personality, his warm emotional fervour, his extraordinary memory for faces and names, his vitality and energy, his diapason-like voice all went to root him in the affections of Montana people. He only did one thing Montana did not like—he left her; but in doing so he doubtless followed the same Guide who directed him here at the first.

Just six weeks after Bishop Tuttle was consecrated, the Rev. L. R. Brewer was advanced to the priesthood. About thirteen years later he was elected missionary bishop of Montana. He was consecrated in December, 1880, and arrived three months later on the scene of labors which still continue after thirty-three years. He had only Montana to shepherd. But since Montana is equal in area to Bulgaria, Servia, Roumania and Greece with Belgium thrown in, his task cannot be regarded as a slight one.

His primary visitation occupied half a year, during which he visited fifty-two places and traveled four thousand miles, only thirty of which were by rail.

In 1882 there were eight clergymen, holding services in twenty-six places; there were four hundred communicants and the value of church property was \$34,000. Twelve years later there were fourteen clergymen, twenty-seven parishes and missions, a bishop's house, two parish schools, one hospital, 1,600 communicants and church property to the value of \$235,000.

These are not great returns for twenty-seven years of hard work, but it must be remembered that the population of Montana grew slowly, times were unsettled, communications were imperfect, Bishop Tuttle could only give a portion of his time to Montana, and clergymen, as has been said, were hard to get and still harder to retain. The conditions of life were hard, travel was slow and perilous, people were scattered, the cost of living was incredibly high and modern comforts and conveniences almost unknown. The church had no traditions—in Montana, I mean—its work was pioneer work pure and simple and like all such work was discouraging, fluctuating, uncertain, laborious, but its future was in no doubt, for the bishop "stayed with" his work.

In season and out of season, amid fair weather and foul, by labors, by watchings, by fastings, by prayer, he sought in all places and by all means to make full proof of a ministry such as the man of single eye, unfaltering purpose, resolute faith and sound health, alone can accomplish. It seems beyond credence but it is nevertheless true that in thirty-three years the bishop had only missed two appointments, due to impassable roads.

During the past ten years the church has made steady progress in Montana under conditions which have not greatly varied, although the state seems to be changing from a mineral to an agricultural character.

Development of mines, of course, there will be; but agriculture, only yet in its infancy, promises a rapid and phenomenal development. Those conditions make the church more arduous and less impressive in statistics. The same scarcity of clergymen obtains. Ten years

ago we had twenty-six, now we have only thirty-two and of those only eleven were in the diocese at that time. In the same period, however, the parishes and missions have increased from fifty to sixty-five, although services are held in over ninety places. The communicants have risen from 2,650 to 4,031, the contributions from \$64,000 to \$74,000, the value of church property from \$235,000 to nearly \$1,000,000, including St. Peter's hospital, while in addition there is an Episcopal endowment fund which has increased from \$12 in 1883 to over \$71,000 in 1912.

But this history is not contained in any mere summary of its buildings, its contributions, or even its members. Nor are the labors of these two "apostolic men," with whom it is so largely associated, adequately summed up by reference to the mileage of their journeys, their services and the record of the hopes and fears and struggles which make up so large a part of their periodical reports. The generation of Bishop Tuttle has passed away, and the old men of 1880 lie quietly sleeping in the earth, while a new Montana has arisen, and that new Montana wears a fairer and more hopeful aspect. It is due—who can doubt it?—to those and other "nursing fathers" who watched its childhood, nurtured its youth and remain still to bless its manhood.

Bishop Tuttle blazed the trail, Bishop Brewer broke the soil and scattered the good seed with unwearying hands. In doing so he was following in the steps of those who for nearly nineteen centuries have proclaimed the same message, observed the same Christian year in its orderly sequence of truth, conducted the same reverent and dignified services in the ancient lands where our race took its rise and where it has left its abiding witnesses in the long and glorious roll of its bishops, confessors, martyrs and virgins. These Montana bishops drew their inspirations from sources as ancient and unfailing and they have not been unworthy of their ancestry.

Bishop Brewer wrote in 1894: "No one can write a history of the future living in the present. What the future has in store for

the church in Montana lies beyond human vision." This is most true; and yet of those very days it was prophesied: "Your old men shall see visions and your young men shall dream dreams." At the entrance to the Holy Place in Solomon's glorious temple, were two great pillars, the one Jachin, standing for strength; the other, Boaz, for firmness. They were the very symbols of strength. At their tops were lily work, chain work and pomegranates, wonderfully wrought by one who, the Scriptures say, was inspired for his work.

There is a building in Montana, a goodlier and a more enduring temple. It rises in the hearts of men. It sheds its influences over all the state as two great lamps of Solomon's Temple shed their light over the city of the great king. And at the entrance to its holy place shall stand the two pillars, whose history I have briefly sketched. The Lord of the Temple has placed them there. The lily work and chain work and pomegranates of earnest, faithful, loving service adorns them. Some day the state may find a voice to speak of what they have done. But if not, it matters not; they shall have for their reward even this, to remain pillars in the Temple of their God. And men may think of them in the language of the inscription on Wren's monument: "Si Monumentum requiris, circumspecte."

#### THE METHODIST EPISCOPAL CHURCH IN MONTANA

*By Edward Laird Mills.*

The Methodist Episcopal church entered Montana in 1864, a man named Craig preaching at Bannack on January 10 of that year. A few months later another preacher, Thompson by name, began to hold services, continuing them for about a year.

At Virginia City, a class for prayer and fellowship was organized by a layman, William Florkey, during the winter of 1863-64. Hugh Duncan, a local preacher, was active about the same time, and did notable work for many years later. September, 1864, Rev. A. M. Hough arrived as superintendent of

mission for the state. Mr. Hough was accompanied by his wife, a sister of Jay Gould, and kept a minute diary which to this day is replete with interest. November 6, 1864, the first church edifice was dedicated. It cost \$1,500 in gold, \$700 being raised on dedication day. The Sunday school was formally organized November 13, and the church on the following day. A log parsonage was finished December 4.

Rev. William McLaughlin, standing upon a pile of logs on State street, preached the first Methodist sermon in Helena in April of 1865. He soon raised sufficient funds to build a log chapel, which was dedicated by A. M. Hough, July 30, 1865. It was located on Joliet street, was the first church edifice of any kind in the city, and is still standing.

Matthew Bird and W. W. Alderson, local preachers, were of great assistance in starting and carrying on the work at Bozeman. The latter came in 1864, and through his efforts a church was built in 1867. In the same year Superintendent Hough organized a class of eleven members.

Missoula was visited by Methodist ministers in the late sixties, and T. C. Iliff became a settled pastor there in 1871.

All the settlements in the Gallatin, Madison, Jefferson and Beaverhead valleys were given religious services. At these points generally the work is still being prosecuted with more or less vigor. Out of a feeling of fraternity, the church was never permanently established at certain old-time points, such as Boulder, Willow Creek, Deer Lodge and Corvallis, because of the presence of the Methodist Episcopal Church South.

Aside from the persons named above, the following played a conspicuous part in laying the foundations of the church: George Comfort, who preached the first sermons at Sheridan, Fish Creek, Bitter Root Valley and other places; S. G. Lathrop, J. A. Van Anda, W. C. Shippen, T. C. Iliff, F. A. Riffin and W. W. Van Orsdel. These all came to the state prior to 1873. The five last named appear in a group photograph taken in 1874.



Thirty-five years later they were all living, and three of the five were still in the effective ranks.

Later came Clark Wright and W. A. Shannon, and in the eighties Jacob Mills, J. W. Bennett, G. C. Stull (chaplain of the Montana regiment in the Philippines, and since 1900 chaplain in the regular army), Job A. Little, George D. King, John Hosking, S. A. Oliver and J. W. Tait.

Administratively, the church in Montana was a part of the Rocky Mountain Conference along with Idaho and Utah, 1872-76; it became the Montana Conference for two years, 1877-79; was reduced to a mission 1880-86. In 1887, the present Montana Conference was organized. In 1892, the Great Falls district was set off as the North Montana Mission, and in 1900 Flathead county was detached to form the Kalispell Mission. In 1907, these missions were united to form the North Montana Conference. The increasing importance of the church in this region led the general conference of 1912 to designate Helena as one of the twenty-three episcopal residences of the denomination in the world. The Rev. Bishop Naphtali Luccock was the first incumbent. The "residential area" under his supervision comprises North Dakota, South Dakota, Montana, southern Idaho, eastern Oregon, and a part of Wyoming.

Institutions have always claimed an unusual share of attention from Montana Methodists. In 1882, a committee was appointed to consider the manner of starting an educational institution. In 1888, a field agent was appointed, and in 1890, Montana Wesleyan University opened its doors at Helena, and they have never since been closed. The panic of 1893 and the slow development of the state in the matter of population are the principal reasons why the institution has not yet realized the hopes of its projectors either in size or scope. Within modest limits, however, it has done useful work. About 900 young people have passed through its halls. Of these, about 150 have graduated, mostly

in the academic and commercial courses. The present enrollment is 162, and the president is Charles L. Bovard. Col. Wilbur F. Sanders was president of the board of trustees from the founding of the institution until his death. The permanent campus is near the state capitol, and the first of a group of state-ly buildings is now rising thereon.

In 1909, a local board of trustees, acting for the deaconesses of the church, leased the building formerly used by Montana Wesleyan University, and lying four miles north of Helena, for the establishment of a deaconess school for boys and girls up to the age of 14 years. Scholastic instruction runs through the eighth grade. Scholars who desire to remain during the summer may do so. Miss Louise Stork was the founder of the school, and Miss Roxanna Beck is the present principal. The enrollment this year is 67.

In 1902, a Deaconess Hospital at Great Falls, which after a short previous career, had been closed for two years, was reopened and has since had remarkable prosperity. About 1,500 patients are treated annually, and the property in use is valued at over \$100,000. Miss E. Augusta Ariss is the superintendent. She also has general supervision of the deaconess hospitals at Glasgow and Bozeman, both of which were opened in 1911. The former treats about 180 patients annually, the latter 250. Both have plants of substantial and increasing value.

The proverbial reputation of the Methodist Episcopal church for successful work in frontier regions is borne out by its history in Montana. In 1872, there were 95 members worshipping in 5 church buildings. There were 12 Sunday schools with 733 scholars. In 1912 there were 8,000 members with 118 churches; 205 Sunday schools with 13,000 scholars. The value of church and parsonage property was \$700,000. The amount raised annually for ministerial support was \$84,000; for current expenses of church and Sunday school \$20,000; for various benevolent enterprises, \$22,000.

## THE PRESBYTERIAN CHURCH IN MONTANA

*By Rev. George Edwards, of Great Falls*

The first Presbyterian minister to carry on continuous religious work in Montana was Rev. George Grantham Smith. In writing to Rev. T. V. Moore, D. D., then pastor of the First Presbyterian Church of Helena, in 1897, he says: "I reached Bannack in June, 1864. I was sent out (by the 'New School' Presbyterian church) as an exploring missionary to look over the entire field, and preach at as many points as possible, report the needs of the field and prepare the way for other men to follow. My work in Montana was confined to Bannack, Virginia City and adjoining camps and ranches. There was no Presbytery, no church, no Sabbath when I entered Montana. It was hard 'prospecting' in those days. I soon learned that my salary of \$1,200 would secure me but twelve weeks' board instead of twelve months. I did not organize as I did not expect to remain longer than two years, and the expense of reaching the field and living when there was more than any board could sustain. I took the first census of Virginia City and reported the number of schoolable children and organized schools for them, opened Sunday schools and prayer meetings, married and buried the people, and was instrumental in closing business on the Sabbath. I left Montana in 1866, passed through Helena on the way to Fort Benton, and down the Missouri to the states."

Early Organization. No permanent results remained of the work of Mr. Smith and other preachers, until Montana was visited by Rev. Sheldon Jackson, who is the father of Presbyterianism in Montana. Mr. Jackson visited Helena in 1869 and on August 1st organized a Presbyterian church of twelve members, eleven women and one man. Mr. Jackson wrote at the time that there was not another Presbyterian church within a thousand miles of Helena. But this first organization lapsed through failure to secure a shepherd for the little flock.

Three years later this pathfinder of the Presbyterian church again made the journey and organized seven churches in seventeen days, as follows: May 30, 1872, Gallatin City; June 2nd, Bozeman; June 3rd, Hamilton in Gallatin valley; June 5th, Virginia City; June 9th, Deer Lodge; June 12th, Missoula; June 15th, Helena. At Helena also the Presbytery of Montana was organized on June 17th. The Missoula church was reorganized in 1876, but three of these original churches, Bozeman, Deer Lodge and Helena, have continued to be living prosperous organizations to this day.

Dr. Jackson had brought out with him four men to care for the churches to be organized. Rev. William S. Frackleton was assigned to the eastern circuit with Bozeman for headquarters. He was last heard from some years ago in Australia. Rev. James R. Russel took the western territory living at Deer Lodge, where in 1874 he erected the first Presbyterian church built in Montana, and which is still the home of the Deer Lodge church. Mr. Russel now lives in Butte, where also he laid the foundations of the Presbyterian church. Rev. William C. Rommel served for four years as pastor of the Helena church, completing a commodious church edifice in 1876. His address for some years has been at Elizabeth, New Jersey.

Rev. Lyman B. Crittenden and his daughter, Mary Gertrude, organized and maintained for a term of years the Gallatin Valley Female Seminary, at Bozeman, opening the school in 1872. In 1878 Mr. Crittenden built the Hamilton stone (concrete) church, which adjoined the log building where the seminary then found a home. "Father" Crittenden, as he was affectionately called, went home on June 12th, 1892; his daughter, Mrs. Mary G. Crittenden-Davidson, now makes her home in California.

Statistical. A bird's-eye view of the gradual growth of the church in its various departments, since its organization in 1872, may be had from the following table,

compiled from the minutes of the General Assembly:

	1882	1892	1902	1912
Presbyteries	1	1	3	5
Ministers	7	26	40	72
Churches	10	25	45	73
Members	295	1,386	2,816	5,444
S. S. Members	653	2,397	4,168	7,167
Congregational Expenses	\$6,275	\$44,751	\$58,272	\$95,069

This table should be compared with Montana's growth in population as shown by the United States census:

	Population	Per Square Mile
1880	39,159	.3
1890	132,159	1.0
1900	243,329	1.7
1910	376,053	2.6

These figures indicate that the Presbyterian church in Montana has more than doubled its strength every ten years during the past three decades, and is more than keeping pace with the rapidly growing population. The reports for 1912 show an increase over the previous year of more than 10 per cent. by profession of faith alone. In membership among the Protestant bodies the Presbyterian church stands next to the Methodist, followed closely by the Episcopalian.

Biographical. It is of interest to note that three of the ministers now in active service in Montana came from Princeton Theological Seminary more than a quarter of a century ago, and have remained in the service in Montana continuously, devoting their whole ministerial life to this one field.

Rev. Eiko J. Groeneveld, D. D., came to Montana in 1882, and after six years at Deer Lodge, where he was both pastor of the church and professor in the College of Montana, he removed to Butte, where for the past twenty-five years he has been pastor of the First Presbyterian Church.

Rev. Edwin M. Ellis began work as a

home missionary in the Bitter Root valley in 1884. After seven years he entered the Sunday school work, and continues to act as synodical superintendent for Montana—twenty-two years of continuous service under the Sunday School Board.

The writer of this sketch, Rev. George Edwards, came to Montana in the fall of 1886. He has served as home missionary, Sunday school missionary and pastor-evangelist, living at the county seats of the four central counties of the state, except the two years that he supplied a circuit in Fergus county, living in a two-room log cabin, sixty miles from the railroad.

Indian Missions. We should not close this sketch without some mention of the work among the Indians. The Indian population of Montana numbers about eleven thousand, located on six reservations. The work of the Presbyterian church has been among the Assiniboines and Yanktons of the Sioux nation on Fort Peck and Fort Belknap reservations, in the northeastern part of the state, beginning in 1881. The Indians on these reservations number about three thousand. The eight Presbyterian churches maintained among them have a membership of three hundred and fifty, over eleven per cent of the population. Other adherents, such as baptized children and attendants, number three hundred. This work is at present in charge of Rev. D. E. Evans, district home missionary. Working with him are two native ministers and four other native helpers.

There is also at Wolf Point an Indian industrial boarding school, supported by the Board of Home Missions, which has been carried on for the past twenty years under Mrs. Cyanthia D. King, as superintendent. The boys' and girls' boarding houses accommodate forty children. The total enrollment including day pupils, is over sixty. As to the work done at Wolf Point, Mrs. King says: "Our aim is to make this a Christian home rather than a school. The girls are taught housekeeping, to be neat and systematic. The boys care for the schoolroom, cut the wood.



care for the stock, milk the cows, and learn the use of carpenters' tools, in addition to the work of the class room."

THE UNITARIAN CHURCH OF MONTANA.

*By Miss Sarepta Sanders.*

The Unitarian movement began in Montana about the year 1889. Rev. Samuel McChord Crothers was the first to call an audience together to hear the liberal faith expounded. He was followed by Rev. J. H. Crooker, an able minister, who soon had a large following. By means of the Post-office

mission, Unitarian literature was spread abroad over the state, and now, in addition to the church at Helena, there are societies in Butte and Great Falls, besides numerous groups of people in other parts of the state.

Unitarians maintain as fundamental these principles:

Religion expressed in terms of character and service, rather than creed;

Religious thought in harmony with modern knowledge,—its object being the development of moral and religious life, founded upon ideals of truth.

## CHAPTER XXVII

### THE COURTS AND LAWYERS OF MONTANA.

BY MAJOR JESSE B. ROOTE

The purpose of every government is the protection of its people. All history demonstrates that the passions of men will not conform to the dictates of reason and justice without constraint. Courts are the means or instrumentalities by which members of society are restrained. Systems of law do not appear at once finished, but are things of growth, and bear the fruits of human experience and of the progress of man. The jurisprudence of one age impregnates that of the succeeding age. The pure and impartial administration of justice is of all things the most important to a people. Who shall be governor of the state or president of the federal government, or what tariff shall be exacted, or what general laws passed occupy the particular attention of politicians. These things concern in only a comparatively small degree the happiness of the great mass of the people; but the impartial administration of law between men comes to every man's door, and is essential to every man's happiness. Our government could not exist if any of the three great departments—legislative, judicial and executive—were abolished. In a sense each department of our government is as important as either of the other two, because each is essential to the existence of government. But in another sense it can truthfully be said that the judicial is the most important one of the three departments of government, and its independence and purity of the most interesting consequence to every man.

The history of the early administration of justice in the country now embraced within the limits of the state of Montana is of absorbing

interest to the student of sociology. There were courts here before there was in reality any formal or established government that extended its powers and jurisdiction over the territory. These courts were called miners' courts, and knew no law except the law of natural justice. That part of the territory west of the Rocky Mountains was once a part of Oregon, later a part of the territory of Washington, and still later a part of the territory of Idaho—but was so far removed from the centers of population and the seats of government of these territories that the country in what is now Montana was left ungoverned, so that the early inhabitants were unrestrained by any laws other than their own sense of right, and were without any legislative, executive or judicial authority over them. In speaking of the early pioneers of the West Judge Pomeroy, the author of that incomparable work on equity jurisprudence, says: "Vast numbers of immigrants poured over the mineral regions, settled down in every direction, appropriated parcels of the territory to their own use, and were prospecting and mining in every mode rendered possible by their own resources, under no municipal law and with no restraint except that of superior physical force. The world has probably never seen a similar spectacle—that of extensive gold fields suddenly peopled by masses of men, from all states and countries, restrained by no law, and not agreed as to whence the laws ought to emanate, or by which they would consent to be bound."

In referring to the early settlers and pioneers of Montana the late Decius S. Wade, who was

for sixteen years the chief justice of the supreme court of the territory of Montana, wrote as follows:

"These hardy pioneers, these builders of states yet to be, more venturesome than Columbus or Marco Polo, found themselves in a new world, full of resources and surrounded by new and strange conditions. They were beyond the reach of law. They were effectually beyond the protection or control of the Government of the United States. These mineral lands had not been declared open to exploration or purchase. There was no means of acquiring title. These immigrants, miners and prospectors, were trespassers upon the public domain, and as between themselves actual possession was the only evidence of ownership.

"There was no law defining a mining claim, its extent, what should constitute a discovery, to what the discoverer should be entitled, the means of ownership, how a claim might be conveyed, how it might be worked or mined, or how water for that purpose might be used and delivered to the next claimant for the same purpose. The situation demanded law, and that without delay. There was no legislature to enact laws, even if it would have had the right, and congress had not yet spoken upon the subject.

"But these American citizens, most of them well educated, many of them graduates of colleges, and all of them familiar with the principles of self-government by the people, and accustomed to exercise the right at the ballot-box, proved themselves equal to the emergency. They evoked the good old method of the New England town meeting and made laws for themselves, by which they agreed to be governed. Wherever there was mining ground, they organized a mining district, and adopted rules and regulations for the government and control of all matters concerning mining, the use of water for that purpose, and the acquisition and disposal of mining claims, after defining of what a mining claim should consist.

"They organized miners' courts, preserved order, protected life and property, and adjudicated rights, and commenced the conquest

and reclamation of a vast unexplored country that has since then added so much to the wealth and power of the United States.

"The jurisdiction of the miners' courts was not final. From the decision of these tribunals there was an appeal to the whole body of the miners of the district, presided over by an officer whom the miners had elected and called the President of the District. This was a direct appeal to the people and their voice was the supreme law.

"These mining rules and regulations, being much the same in each district, very soon came to have the force and effect of the common law, the law of the land, for the mining region, and later, when Congress began to legislate on the subject, these rules and regulations of the miners were recognized as valid laws, and were enforced by the courts in the adjudication of property rights.

"Thus was laid the foundation of that great system of mining law that now prevails in the mining regions of the Pacific States, and upon the validity of which such vast interests and rights depend. This system of mining law is but an instance and example of how the law grows up and adapts itself to novel and strange conditions. This system was formed without a precedent, its language is Greek to lawyers who have not studied and learned to interpret it, and is the product of the wants, needs and necessities of the country where it exists."

Idaho was created a territory on the third of March, 1863, and included what is now Montana. Its first legislature did not meet until December of that year. Gold was found in several places in what is now Montana in the years 1861 and 1862, and about the last of May or the first of June, 1863, Alder Gulch was discovered by Fairweather and his companions. Immediately after the discovery of gold in Alder Gulch, Virginia City sprang into existence and became the center of population, and her people organized their own government, already described in the quotation from the writing of Justice Wade. Until the legislature of Idaho convened in December, 1863, and passed laws for that territory, the people



of Alder Gulch and Virginia City were not subject to the statutes of any state or territory, and the statutes of the United States did not apply, as they did not regulate local affairs. The miners' court was the result of the necessities of the people, and its judgments were respected as much as those of the highest courts of the land. It is true that the miners' courts were not legally organized or constituted. Though summary in character their judgments conformed to the dictates of reason and justice. The first miners' court in Alder Gulch was organized on the ninth day of June, 1863, with G. G. Bissell as the judge thereof, and Richard Todd as the sheriff. In September following Sheriff Todd was succeeded by J. B. Caven. Soon afterwards Mr. Caven resigned as sheriff and Henry Plummer, afterwards noted as the leader of the road agents in Montana, became sheriff in the former's stead. This primitive and independent government continued until it gave way to the jurisdiction of the territorial government of Idaho sometime in the early part of 1864, although after that date Idaho experienced little or no jurisdiction in that part of its territory now comprised within the state of Montana.

The territory of Montana was organized by an Act of Congress approved May 26th, 1864. The judicial power was vested in a supreme court, district courts, probate courts and justices of the peace. The supreme court consisted of a chief-justice and two associate justices. The supreme court of the territory of Montana convened for the first time on the 17th day of May, 1865, at Virginia City, the then seat of government. None of the decisions rendered prior to December, 1868, have been published, as, indeed, few of the opinions of the court prior to that time were in writing. It was the practice of the court prior to December, 1868, to enter brief and formal orders, either confirming or reversing the judgments of the district courts. The records of the supreme court of the territory of Montana prior to the December term, 1868, are very imperfect, and afford the researcher but little and imperfect information as to what was

done. The first volume of reports of cases argued and determined in the supreme court of the territory of Montana embraces the written opinions of the judges of all cases decided from the beginning of the December term, 1868, to the end of the January term, 1873.

The late Justice Wade, who became chief justice of the supreme court of the territory of Montana on March 17, 1871, and was thus early upon the scene of the struggles of Montana's pioneers, has left for posterity a vivid description of, and his opinion concerning the miners' courts in the following language:

"The first courts in what is now Montana were miners' courts, presided over by judges elected by the miners of the districts, to enforce mining rules and regulations made by and for themselves. Besides providing themselves with a system of mining law, the people acting together were compelled to exercise their original criminal jurisdiction, which corresponds to the right of self-defense in the individual. The discovery of gold attracted thither not only the better but also the worst and lowest elements of society. Criminals and outlaws, following close upon the heels of the pioneer and homeseeker, hovered about the mining camps and infested the country. Their business was crime and plunder. They lay in wait for stage coaches by which gold was sent out of the country, murdered the passengers, robbed emigrants and travelers, waylaid miners, and terrorized every mining camp and community. In the summer and autumn of 1863 the supreme question was whether criminals and murderers or the well-disposed people should rule the country; whether cut-throats or honest men should control. There were no courts or officers to preserve order or to punish crime. Life, liberty and property were without any protection. The situation was desperate and unparalleled. It was crime against society, criminals against honest men, murder and robbery against life and property.

"The people, few in numbers and scattered over a wide extent of country were compelled to organize and confederate together for self-

preservation. They acted with deliberation. The supreme hour had come. They were to test their right to live. Their calmness was not that of despair or cowardice, but of self-respect, manhood, American citizenship. They did nothing in the nature of mob violence or lynch law. Remembering the form of law in their distant homes, where judge and jury tried men for crimes, they organized citizens' courts with the miners' judge to preside, formed juries who listened to the evidence, had attorneys to prosecute and defend, and not until the testimony had excluded every doubt was a verdict of guilty returned; and when returned, without undue delay, uninfluenced by petty technicalities, maudlin sympathy, or unholy passion, it was, in an orderly manner, carried into execution. In the period of six or eight months, many men had been tried in these courts, found guilty of murder and executed.

"There is nothing in history like those trials. They were open and public; they were attended by the well disposed people and the desperadoes alike, all being armed and on the alert, some looking for the arrival of confederates and preparing to rescue the prisoner, and others, with their lives in their hands, ready to prevent the attempt. It required supreme courage for a lawyer to prosecute, or for a witness to testify against, a prisoner at these trials."

The first judges of the supreme court of the territory, appointed by President Lincoln under the organic act approved May 26th, 1864, were H. L. Hosmer, chief justice, appointed June 30th, 1864; Lorenzo P. Williston, associate justice, appointed June 22d, 1864, and Ammi Giddings, who was also appointed June 22d, 1864, but who declined to serve. Although Associate Justice Giddings declined to serve as such his commission remained in force until March 11th, 1865, on which day Lyman E. Munson was appointed associate justice in his stead. The Act of Congress creating the Territory of Montana provided that the territory should be divided into three judicial districts, and that district courts should be held

in each of these districts at such times and places as should be prescribed by law. Chief Justice Hosmer arrived at Virginia City to take up his duties in October, 1864. Associate Justice Williston arrived about the same time, and took up his residence at Bannack, at which place he held a district court. At this time there was no law governing except the organic act, and this only provided for the political existence of the territory, leaving it to the territorial legislature, which had not then convened, to enact laws. The district courts, provided for by the organic act, were given general common law jurisdiction, and in addition thereto the same jurisdiction in all cases arising under the constitution and laws of the United States that was vested in the circuit and district courts of the United States.

The first legally organized court ever held in the territory of Montana was convened in the dining room of the Planters' House at Virginia City on the first Monday of December in 1864. There had at that time been no meeting of the first legislature of the territory to enact the necessary provisions of law for the government of the court, and the judges were left to the guidance of their own sense of what was proper. In the absence of any statutory provisions the courts could, having general common law jurisdiction, provide by rule for the practice to be followed. As Montana had lately been a part of the territory of Idaho the district court decided that the statutes of Idaho should serve as a guide in matters of procedure in so far as they were applicable, and that otherwise the rule of the common law should prevail. On the first day that the district court sat in Virginia City, which was the first sitting of any legally organized court in the territory, the chief justice empanelled a grand jury, which was the first grand jury that ever sat in the territory now covered by the state of Montana. In his charge to the grand jury Judge Hosmer called the attention of the jurors to the activities of the vigilance committee during the previous two years. The judge told the grand jury, in effect, that he approved, on the ground of necessity, what the

vigilance committee had done, but said that summary proceedings should now give way to the law and the legally constituted courts. The two judges had only recently arrived in the territory, Chief Justice Hosmer having been appointed from Ohio, and Associate Justice Williston having been appointed from Pennsylvania. Neither had ever been in the territory prior to his arrival to take up the duties of his office. They were looked upon by some with jealousy and suspicion. After the adjournment of court on the first day of its sitting at Virginia City a citizen who had been present at and heard the charge of the judge to the grand jury took occasion to say to Judge Hosmer: "We are glad that the government has sent you here. We have some civil matters to attend to, but you had better let us take charge of the criminal affairs." But Judge Hosmer was not to be frightened, nor was he willing to neglect his duties as judge.

In the fall following Judge Munson, while holding court at Helena, empanelled a grand jury, and in his charge to them took occasion to use the following language:

"Courts are now organized and established throughout the territory, for the trial of both civil and criminal causes with ample facilities to secure the ends of justice. Let it no longer be said or even thought, by any well-meaning citizen, that they are unwilling, or unable, to afford all the protection needed for both person and property, and to punish guilty violators of our laws. Until they have been tried and found unwilling or inadequate to the discharge of their duties, there is, and can be, no valid excuse for outside, irregular, secret organizations, usurping the prerogatives of the court, and assuming the discharge of its functions in a manner unknown to, and unsanctioned by the laws of the land. Laws are made for the government and protection of all alike; and courts are established to see that they are impartially administered, and that proper punishment for each guilty offender be meted out in the way and manner prescribed by law through the tribunals established for that purpose. When

those tribunals are lost sight of, ignored or brought into disfavor by the action of any considerable portion of the community, especially the better portion thereof, and their duties are usurped by irresponsible power, then the seeds of anarchy and confusion will be sure to germinate and ripen into a harvest of bitter fruit. Better confide the administration of both civil and criminal matters to the proper legal tribunals of the land—even though their movements be tardy—than to commit them to a rash, impulsive, irresponsible power, unknown to the laws of the land. It is the duty of the law officers of the government, both national and territorial, to see that the laws thereof are kept inviolate, and administered in a legal way through channels kept for that purpose. The frequent and sudden disappearance of persons in this community, by some secret, mysterious, midnight agency, with no further explanation than is given by a simple label upon their backs, with an inscription which may be true or false, so far as the community knows, calls for a suggestion and admonition from the court, that such work is without the pale of authority, unauthorized by law, and, if persisted in, will be a proper subject to be inquired after by a grand jury, sworn to the discharge of a duty from which they cannot shrink, though its discharge be painful. It is not too much for me to say, that the proper disposition of criminal cases is in the courts of law, with an open, day-light trial, and with those guaranties of fairness and impartiality the laws provide. However satisfactory may be the apology for an act which seeming necessity compelled heretofore, no such necessity now exists. Courts of law are now fully established, with power competent to meet every want—to suppress every crime—to himself every offense;—especially with such auxiliary help as they have reason to believe will be tendered in time of need, and which it is the duty of every good citizen at all times to render."

Some of the lawyers who first appeared within the territory, and who practiced first in the miners' courts and afterwards in the legally organized territorial courts, and whose



activities had much to do with the early history of the territory, were: Wilbur F. Sanders, H. P. A. Smith, John Richie, George W. Stapleton, E. Warren Toole, W. Y. Pemberton, Samuel Word, Robert Lawrence, A. E. Mayhew, James M. Thurman, Louis McMurty, J. A. Johnston, W. J. McCormick, J. H. Brown, L. J. Campbell and Alexander Davis. Besides those just named some of the prominent lawyers who arrived in this part of the country about the time of, or shortly after the organization of the territory, and took up the practice of their profession, were the following: William Chumaseo, James G. Spratt, Thomas Thoroughman, William Y. Lovell, R. B. Parrot, Cornelius Hedges, Sidney Edgerton, (who was the first governor of the territory) Theodore Muffly, John P. Bruce, Elanson C. Moore, Jerry Cook, Edward Sheffield, R. H. Robertson, William L. McMath and John C. Turk. Of these Wilbur F. Sanders, W. Y. Pemberton, E. Warren Toole, Samuel Word and Cornelius Hedges afterwards spent long careers in the territory and state of Montana, and had much to do with the making of history.

When a portion of Montana was a part of Washington Territory the first civil lawsuit before a duly and legally qualified judicial officer was begun and tried before a justice of the peace in Missoula county. An account of this trial is given by Judge Frank H. Woody in a history of Missoula county prepared by him in 1876, in the following words:

"The first lawsuit ever commenced in Missoula county, or in fact in Montana, was commenced and tried at Hell's Gate, in the month of March, 1862, before Henry Brooks, justice of the peace. The proceedings were under the laws of Washington Territory. A Frenchman called 'Tin Cup Joe'—other name forgotten—accused Baron O'Keefe with beating one of his horses with a fork handle and then pushing him into a hole, thereby causing his death, and claimed damages in the sum of \$40, and sued O'Keefe to recover that amount. The place of trial was in Bolte's saloon. A jury of six was empanelled and sworn to try the cause. W. B. S. Higgins and A. S. Blake, now of

Missoula county, and Bart Henderson, of the Yellowstone, were of the jury. As the trial progressed the proceedings became less harmonious until it ultimately culminated in a bit of unpleasantness between the defendant and the writer, who was acting as attorney for the plaintiff. During the unpleasantness the friends of the respective parties lent a hand, and it was far from being a select or private affair. While the unpleasantness was in progress the court and a portion of the jury had fled for dear life, and when harmony was restored they were nowhere to be found. After considerable search the court and jury were captured and the trial proceeded. The cause was finally given to the jury, and after a brief absence they came into court and rendered a verdict for the plaintiff for \$40 damages. The costs swelled the judgment to about \$90. This was probably the most hotly contested case ever tried in the territory. The defendant endeavored to take an appeal to the district court, but as that court was held in Colville, 300 miles distant, he concluded to settle the judgment, which he did."

But the first case ever tried in the bounds of what is now Montana was a case tried before a military tribunal. In the expedition sent by President Jefferson up the Missouri river and overland to the Oregon country, at the head of which were Captain Meriwether Lewis and Captain William Clark, an insubordinate soldier was tried before a court-martial, found guilty and whipped. This occurred in what is now Missoula county.

Under the territorial government the chief justice and associate justices of the supreme court also presided in the district courts, each holding a district court at some one or more places in the territory. Thus the supreme court sat in review upon cases which had been tried by its respective members while holding district courts. This resulted in some dissatisfaction among the people because, as it was said, the judgments of the district courts were generally affirmed on appeal out of regard for the feelings of the judge whose judgment was thus brought in question. A careful exami-

nation of the early decisions of the supreme court of the territory disproves this charge. However, cause for complaint on this head was removed by an act of Congress of July 10th, 1886, which provided for an additional judge, and also that no judge should sit in the supreme court in a case brought up from the district court over which he presided. Appeals were allowed by law from judgments of the supreme court of the territory to the supreme court of the United States in all cases involving five thousand dollars or more. Soon after the first session of the territorial legislature probate courts were established in each county, and nearly every settlement was provided with a justice of the peace and a constable.

The first session of the district court held at Virginia City, which was the first held in the territory, lasted for about six months. During this time many questions arose and were decided. There were no libraries at the time and no precedent for many of the intricate questions submitted and by the court decided. The modern law of water rights and of mining rights had not come into existence, and cases concerning both were constantly coming before the court. In December, 1864, the first territorial legislative assembly convened at Bannack and enacted a code. This code, imperfect and crude as it was, prescribed rules for procedure in the courts and enacted many provisions of substantive law. By the organic act the justices of the supreme court were empowered to apportion the territory into judicial districts. No record of any such apportionment can be found earlier than June 12th, 1867. It is presumed, however, that such apportionment was made by the justices, for district courts were regularly convened in several counties by the judges. On the date last mentioned the justices, sitting at Virginia City, made an order fixing a term for the supreme court for the first Monday in August thereafter, at Virginia City. At this time an order was also made apportioning the territory into judicial districts. Madison and Gallatin counties, with a part of what was then called the Big Horn country, were assigned to Chief Jus-

tice Hosmer; Deer Lodge, Missoula and Beaverhead counties were assigned to Justice Williston; and Edgerton (now Lewis and Clark), Jefferson and Choteau counties, with the territory designated as Meagher and Musselshell counties, were assigned to Justice Munson. After that time district courts were regularly held at Virginia City, Bannack, Deer Lodge, Gallatin City, Missoula, Helena and Diamond City. United States district courts were held at Virginia City, Deer Lodge and Helena. The Bannack legislature designated Virginia City as the capital of the territory, and there in May, 1865, the first term of the supreme court of the territory was held with Hezekiah L. Hosmer presiding as chief justice, and Lorenzo P. Williston and Lyman E. Munson as associate justices. Of the early sessions of the supreme court, and the judges thereof, the late chief justice Decius S. Wade writes thus: "It is unfortunate that these justices, during their period of office, delivered no opinions in writing, for thereby their valuable services to the territory and to the profession have, to a great extent, been lost. They did not seem to comprehend that they were laying the foundation of a great structure to endure for all time. We know from the records of the district courts and of the supreme court that the litigation of that period was extensive and important, and that it related chiefly to placer claims, to water for mining and irrigating purposes, and to possessory rights in the public lands. The doctrine of the prior appropriation of water for the purpose of placer mining—that the first appropriator thereof for such use became entitled thereto as against subsequent appropriators—first in time, first in right—had taken root in the pre-territorial days under the rules and regulations of the miners, and under the provisions of the Bannack statutes of 1865 and the act of Congress of July 26th, 1866, the doctrine was extended and made to apply to water for agricultural or any useful purpose. The application of this doctrine, which had arisen in California, and was born of the necessities of placer mining and the arid condition of the country, and which overturned



that of riparian rights as known to the common law, and the adjustment of controversies and rights consequent thereon, and questions growing out of the possessory rights in the public lands, and of practice, occupied largely the attention of the justices of the first period."

The second and third legislative assemblies convened and completed their labors before the end of the year 1866, but all laws passed by these assemblies were afterwards abrogated by congress. In 1867 the fourth legislative assembly convened and enacted what has commonly been called the California Practice Act. The Bannack statutes were not printed until 1866, and those of the session of 1867 were not printed until the summer of 1868. Chief Justice Hosmer and Associate Justice Williston retired from office July 18th, 1868, while Justice Lyman E. Munson retired from office April 5th, 1869. Soon after Judge Hosmer retired from office he removed to California where he afterwards engaged in literary pursuits. There he died in 1892. Judges Williston and Munson returned to their former homes in the states whence they came, and resumed the practice of law.

Hezekiah L. Hosmer was born December 10th, 1814, at Hudson, New York, of Connecticut parentage. At the age of sixteen he commenced the study of law at Cleveland, Ohio, removing from there six years later to the Maumee Valley in Ohio, where he practiced until after the election of Mr. Lincoln to the presidency. From 1848 to 1855 he was editor of the *Toledo Blade*. When Montana was created a territory Hezekiah L. Hosmer was secretary of the committee on territories of the lower house of congress. On June 30th of that year President Lincoln appointed him chief justice of the supreme court of the territory of Montana. A few days earlier the president had appointed Lorenzo P. Williston, of Pennsylvania, and Ammi Giddings, of Connecticut, as associate justices. Mr. Giddings having declined the appointment his place was filled the following year by the appointment of Lyman E. Munson. Judge Hosmer crossed the

plains in the summer of 1864, and arrived in the new territory in October of that year, when the political campaign for the election of a delegate to congress and for members of the first territorial legislature was in progress, the election taking place about two weeks later. Virginia City in Madison county was then the most populous place in the territory, and there Judge Hosmer took up his residence. No courts had been established in that portion of Idaho from which Montana was taken, except that a probate judge had been appointed, and litigants brought their controversies before him or the miners' courts. The miners' courts were at that time recognized by common consent as a necessity, although they were organized without warrant of law, and were of unlimited jurisdiction. In these courts some eighty cases had been commenced which were transferred to the calendar of the district court of the first judicial district of the territory when the last named court was organized. The cases covered many phases of law and equity jurisdiction, as well as presenting interesting questions for which there were no precedents. The criminals had been dealt with by the summary action of the vigilance committee, which had succeeded in bring order out of chaos, and which guaranteed protection to life and property. Judge Hosmer opened the first session of the first district court in the territory on the first Monday in December in 1864 in the dining room of the Planters' House in Virginia City. He was seated upon two dining tables, and had a third table for a desk. The empanelling of a grand jury was the first judicial act performed. In his charge to the grand jury Judge Hosmer referred with approval to the necessary work of the vigilance committee, but counselled a discontinuance of it and submission to the lawful authority. Vexed questions at once presented themselves. No legislature had yet assembled, and the only certain, applicable law was the organic act of congress, which was more in the nature of a constitution than a code of laws. The only law book that bore a semblance to a code of procedure in the territory at that time was an unbound



volume of the proceedings and statutes of the last legislative session of the territory of Idaho. And it was in danger of destruction by frequent and general handling, as it was necessarily common property. The first question presented to the court was what should be the rule of procedure. Should the common law govern, or should the laws of Idaho (that being the territory from which Montana had been formed), limit the common law so far as they were applicable? This question arose as a result of the refusal of an attorney to pay a license to practice law, which license was provided for by the laws of the territory of Idaho. At the hearing of this question elaborate arguments were indulged in by nearly every member of the bar. A few text books of law had been brought to Virginia City from the states by the lawyers, and these were pressed into use as affording some guide to the court in determining the question, and where these authorities were silent the recollections of the members of the bar of the texts of other authorities were advanced in argument. After full and extensive argument the court decided that the statutes of Idaho should govern so far as applicable, and on points on which the Idaho statutes were silent, the common law should prevail. The next question of importance that arose for the court's consideration was one concerning the interpretation of contracts. The circulating medium was gold dust. Treasury notes of the United States were received generally at about fifty cents on the dollar. The contract under consideration by the court provided for the payment of a certain number of dollars without specifying whether the payment should be in gold dust or treasury notes. The court decided that where a contract was made payable in gold dust such provision of the contract should be observed, but in the absence of a specific provision payment might be made in lawful money of the United States. At that time the law of congress providing that internal revenue stamps should be used upon certain documents was in force in the United States, and it was provided that written contracts that were not stamped ac-

cording to law were void. There were no revenue officers in the territory at that time and there were no revenue stamps to be had. A great many contracts had been previously made, and without being stamped as required by the law of congress. Had the court held that these contracts were void it would have wrought havoc in the community. This question was one of great importance, and one to which the court gave great consideration. It was held by the court that if contracts were properly stamped as soon as stamps were thereafter obtainable that they should not be held void because not stamped at the time of execution. The business before the court required it to remain in constant session for about six months. At this term many criminal cases were tried, and civil actions were heard involving questions of prior rights in placer claims, and contracts of carriers for shipments of freight up the Missouri River and across the plains, and the construction of statutes passed by the Bannack legislature. Soon after the arrival in the territory of Associate Justice Munson in 1865 the first session of the supreme court of the territory was convened in Virginia City. At this session of the supreme court all of the three judges were present. The first question that was brought to the supreme court, and the only question that was presented for its decision at its first term, was whether Robert Hill, who had been appointed by Governor Edgerton to the office of county recorder, or R. M. Hagerman, the appointee of the miners to the same office, was entitled to that office until an election should be had under legislative enactment. The court decided in favor of Hagerman by a majority decision, the chief justice and Associate Justice Williston concurring in the majority opinion, while Judge Munson dissented. Thus the first decision of the supreme court of the territory of Montana was by a divided court. Under the organic act it was the duty of the first legislative assembly to provide for the apportionment of the territory into districts for the election of members of the council and lower house of the second session of the legislature.

The first legislature failed to make any such provision, but did provide for the election of the members of the second legislature. This oversight of the first legislature was brought in question by a case in court in which the supreme court of the territory, by a majority of the judges, held that the second and third legislative sessions were illegal. Afterwards this opinion of the court was approved by congress, and all the acts of the second and third legislative assemblies were by congress annulled. The second session of the supreme court did not convene until the year 1866, and lasted but a short time as there was only a small calendar.

Judge Lorenzo Parsons Williston was born in Binghamton, New York, in 1815. He received his education at an academy in Athens, Pennsylvania, and after leaving that institution studied law with his father, Judge Horace Williston. After being admitted to the bar in the state of Pennsylvania he returned to Binghamton where he resided for a while, and then located at Wellsboro, Pennsylvania, and entered into a law partnership with S. F. Wilson, which partnership existed for several years, and until he was appointed as one of the judges of the supreme court of the territory of Dakota. On the completion of his term of office in Dakota he was appointed by President Lincoln associate justice of the supreme court of the territory of Montana, being the first judge of that territory, his appointment dating June 22d, 1864. Upon his retirement from the office of associate justice of the supreme court of the territory of Montana in 1868 he settled in Towanda, Pennsylvania, where he resumed the practice of law. After a few years' residence there he again settled at Wellsboro where he lived until his death, which occurred on May 22d, 1887.

Lyman E. Munson was born in Berkshire county, Massachusetts, in January, 1822. His early habits were studious, and he laid well the foundation for his literary and legal attainments. After his graduation from the law school of Yale University he formed a law partnership with Judge Dutton, and practiced

in the New England states. Upon his appointment by President Lincoln as an associate justice of the supreme court of the territory of Montana he immediately prepared to leave for the field of his future activities. He was fifty-three days in making the journey by steamer and stage from St. Louis to Helena, and arrived at the latter place in July, 1865. Prior to his arrival at Helena the vigilantes, under necessity, had assumed the regulation of criminal offenses. The night before his arrival in Helena a man was hanged by judgment of a so-called committee of safety<sup>1</sup> on a tree in Dry gulch, this hanging on that particular tree having been the eighth in as many months. Other similar trials, convictions and executions were had in the territory about that time, sometimes as many as three men being hanged at one time. Between the twentieth of December, 1863, and the third of February, 1864, at Virginia City and Bannack twenty-four outlaws, including the notorious Plummer, who was sheriff at the time, and two of his deputies, were hanged by the vigilantes. Execution was speedy, and usually carried out within an hour after conviction. It will be remembered that at the time the vigilantes punished criminals in Montana there was not an organized court in the territory, and none between the Rocky Mountains and Yankton, Dakota. During the absence of Chief Justice Hosmer and Associate Justice Williston for nearly a year after the arrival of Judge Munson judicial supervision of the territory devolved upon the latter. Versed in legal lore, with New England ideas as to fair trials in legally constituted tribunals, with the courage of his convictions, he opened court in August, 1865, and his first charge to the grand jury had a ringing warning to evil

<sup>1</sup> This execution was not carried out by the original vigilante organization that exterminated the road agents in 1863-4. On more than one occasion and as late as 1885, so called vigilantes hanged criminals, but without the sanction of the original body that caused summary executions when the Henry Plummer gang had been disposed of. Some of the members of the vigilantes of 1863 denounced this hanging.

doers of all kinds. At the December, 1865, term of the United States district court James B. Daniels was tried on a charge of murder, convicted of manslaughter, and in less than thirty days from the commission of the homicide he was serving in the Madison county jail, which was the territorial prison, a sentence of imprisonment imposed upon him by Judge Munson. This was the first trial for murder had in any of the courts of the territory. On the 22d day of February, 1866, the secretary of the territory, Thomas Francis Meagher, then acting governor, granted to Daniels a reprieve which, after reciting the presentation to the acting governor of a petition for the reprieve, concluded in the following words: "Now, Therefore, I, Thomas Francis Meagher, Acting Governor of the Territory of Montana, by virtue of the authority vested in me as Governor of said Territory, by the second section of the Organic Act of said Territory, aforesaid, do hereby reprieve the said James B. Daniels, for the said offense of manslaughter committed, and of which he is convicted, as aforesaid, until the decision of the President of the United States is known thereon; and I do hereby order and direct the Sheriff of Madison county, or other person in charge of the prison wherein the said Daniels is confined, to immediately release and discharge the said James B. Daniels from custody."

On being released from prison under this reprieve Daniels immediately returned to Helena, and indiscreetly swore revenge upon the witnesses who had testified against him. He arrived there about nine o'clock in the evening, and was almost immediately surrounded by a mob, which hanged him at ten o'clock of the same evening. At the time he was executed Daniels had in his pocket the reprieve, or pardon, that had a few days before been issued to him by the acting governor. This incident created great excitement at the time, and evoked from Judge Munson an open letter addressed to the acting governor and published in the *Montana Radiator* of March 10, 1866, which is here set forth because it is not only

characteristic of the writer, but throws light on a controversy that was then raging between the judges on the one side, and the legislature and acting governor on the other. The letter is as follows:

"Virginia City, M. T., March 1, 1866.

"Gen. T. F. Meagher, Secretary and Acting Governor of Montana:—Dear Sir: Noticing in the paper your proclamation setting at liberty James Daniels, convicted of manslaughter, and serving out his sentence in Madison county jail, (Territorial prison) I came from Helena on the return coach, to respectfully ask that you revoke that order, and have the sheriff remand him to prison, until the will of the President could be made known concerning him. This you declined to do. I therefore desire to state, that you have assumed the exercise of a power not delegated to the executive, unwarranted by law, and the sheriff should have disregarded the order until further advised. Had Daniels been convicted of murder, and sentenced to be hanged, you then could have reprieved him from the execution of the sentence, until the will of the President could be made known; but not even then could you have set him at liberty. I have, therefore, ordered the marshal to rearrest him, if he be found, (the sheriff says he has escaped out of his precinct) and confine him in the jail and hold him at all hazards, until otherwise ordered by the President, and I am happy to assure you that he will obey the order and defend his action. I hope you will render him all needed assistance in the discharge of his duty, in maintaining the supremacy of law. One word further: I notice in the city papers a published speech said to have been delivered by you in a Democratic convention, recently held in this city, in which you say that *you* shall *compel* the judges of the territory to recognize the *legality* of the legislature, soon to assemble under your call, and the *validity* of the laws *it* may pass. Had you spoken simply as a *politician* I should take no notice of the speech—probably never should have read it; but you gave to it significance by adding the weight of your official position, which brings



it to notice. That there may be no misunderstanding between us, or misapprehension in the minds of those who heard or have read it, I deem it proper as one of the judges alluded to (the others being absent,) to state that the judges of Montana will pursue a straightforward, honest, independent course in the discharge of their official duties, regardless of fear or favor. They will not be bought by promises of reward, nor bullied or intimidated by threats from *any* source. They claim the right, and will exercise the duty of not only *construing*, but of *passing* upon the *validity* of any law the legislature may pass, or even the legality of the session itself, whenever they may come properly or legitimately before them, in the discharge of their official duties, and their judgments, orders and decrees will be observed and enforced until overruled and set aside by a higher tribunal than the edict of an executive. The judiciary will aim to do their *whole* duty, and it is hoped their decisions will be just, equitable and satisfactory. May peace, order and prosperity be the happy lot of us all, and the law, with its protective shield, at all times be over these mountain homes of ours. I have the honor to subscribe myself,

"Yours, &c., L. E. Munson,

"U. S. Judge, Montana Territory."

The courage of Judge Munson, displayed on this occasion, was worthy of John Marshall. It will be remembered that the first legislative assembly of the territory adjourned without making provision for its subsequent meetings, in not apportioning the territory into election districts. For this reason the supreme court refused to recognize as valid the acts passed by the second and third sessions of the legislature which were held in 1865 and 1867. Congress subsequently sustained the supreme court and passed an enabling act permitting the legislature to again convene in legal session. The refusal of the supreme court to recognize as valid the laws passed by the second legislative assembly was no doubt a great factor in causing the acting governor to grant to Daniels the reprieve. An editorial that appeared in the March 10th, 1866, issue of the *Montana Radi-*

*ator* on the trial, sentence, liberation and execution of Daniels is here given in full, because it is believed that it accurately reflects the views of the majority of the citizens at that time:

"Our readers are aware of the circumstances attending the killing of Gartley by Daniels, and the trial, conviction and sentence of the latter, which occupied the attention and time of the U. S. district court for several days at the December term, at a cost of several thousand dollars to the people. More than usual interest was manifested in this case, in consequence of its being the first criminal action that had been attempted to be prosecuted or adjudicated in the county of Edgerton by the civil authorities. The vigilance committee, which, from its prompt and efficient manner of punishing criminals, had become the paramount authority in matters of this kind, purposely stood aloof, in the hope that civil law being now established would relieve them from further duty, and that they might safely hand over the reins of power to the courts. The trial went on from day to day; Daniels was convicted by the jury, and sentenced by the court to three years' imprisonment in the territorial prison and fined one thousand dollars—a light sentence for one who had taken the life of a fellow man,—and there he should have remained until he paid the penalty, and expiated his offense in the eyes of the law; but, instead of this course, with which the community was almost unanimously satisfied, some thirty-two persons petitioned the governor, before the first three months of his penal servitude had expired, for his reprieve, and an application to the President for pardon.

"Had the terms of this petition been complied with, according to law, the community would have been spared the outrageous spectacle of a fellow being suspended to a tree, where he had suffered an ignominious death for a less offense than that of murder (a jury having pronounced him innocent of that crime.) Unfortunately, however, for the prisoner, unfortunately for the law, and unfortunately for the good order of society

the governor had apparently resolved himself into his original element, clay; and, under the manipulations of unskilled operators, had become a weak, if not a leaky, vessel, inadequate as the depository of those precious jewels, the law and the rights of the people; going beyond the petition, regardless of law, he peremptorily ordered the prisoner to be set at liberty, to go where he pleased, until the decision of the President of the United States could be made known.

"Here the wrong done by the governor and his advisers ceases, and that perpetrated by the executioners of Daniels begins. The judge, who had shared the hopes of those who desired a return to law and order, and who, fearing a recurrence of the old methods of punishing crime, if prisoners were turned loose in defiance of law, had hastened to Virginia on receipt of the news of the governor's illegal order, accompanied by Deputy Marshal Howie, intending with or without the governor's consent to order the prisoner rearrested, and confined, until the President could be heard from. Daniels, meanwhile, had come to Helena, and was not attempting to escape. On being advised by his attorney that he would probably be rearrested and confined to await the President's order, (the attorney being aware of the illegality of the release,) he signified his willingness to go into the custody of Deputy Marshal Featherstun, who had not yet received the order for his arrest, and had no authority to do so; but told him to make the marshal's office his headquarters, and he would afford him any protection in his power. Subsequently, Daniels, accompanied by the deputy marshal, went to a friend's house to sleep; and, to be sure that there were no designs against him, he asked the deputy to go out in town to see if anything was wrong. The deputy went about to the most frequented places and saw nothing nor heard anything with regard to any intended violence, and started for home, calling by the way at the store where Daniels had stopped, and there learned that he had been taken away by a party of men, whom they did not know. Next morning the

body of Daniels was found on the fatal tree. This, we believe, to be a brief but correct statement of the facts in this case; and the reader will form his own judgment as to the justice or injustice of the action of those who did the deed. Without knowing whom we censure, it appears to us to have been hasty and uncalled for. He should have been taken into custody of the law and awaited the action of the President in accordance with the law."

So far as the court records show no opinion in writing was delivered by any of the judges of the supreme court of the territory as it was first constituted. The newspapers of Virginia City and Helena of that time print, however, several of their decisions and charges to juries, and these show care and ability in their preparation. Volume one of the reported cases argued and determined in the territory begins with the case of *Thomas v. Smith*, which was the first case decided at the December term, 1868. Henry L. Warren, of Illinois, was appointed chief justice on July 18th, 1868, and served until March 17th, 1871. Hiram Knowles, of Iowa, was appointed associate justice July 18th, 1868, and served until July 1st, 1879. The December term of the court was held by Chief Justice Warren and Justice Knowles. While Judge Munson's term of office did not end until April 5th, 1869, he was absent from the territory after the coming of Judge Warren and Judge Knowles, and never returned to the territory. From the beginning of the December term, 1868, opinions of the court were delivered in writing, and from that day on there is a complete record of all decisions given. By an act of the legislature passed January 4th, 1872, the publication of the opinions of the judges of the supreme court was provided for, and all those that had theretofore been written and filed, and all since, have been published. The reported opinions of the judges of the territorial supreme court filled eight volumes and a part of a ninth. In 1875 Helena became the capital of the territory, and thereafter the court sat in Helena. Until the removal of the capital to Helena all sittings of the supreme court were at Virginia

City. On April 5th, 1869, George G. Symes, of Kentucky, was appointed associate justice to succeed Judge Munson, who does not appear to have been in Montana Territory any time after the arrival of Judges Warren and Knowles. So at this time the court was composed of Judges Warren, Knowles and Symes. The first resided at Virginia City, Judge Knowles at Deer Lodge, and Judge Symes at Helena. There were eighteen cases decided by Chief Justice Warren and Justice Knowles at the December, 1868, term of the court, and these fill the first one hundred and ten pages of the first volume of the decisions of the supreme court of Montana Territory. These opinions bespeak the learning and energy of Judge Warren and Judge Knowles. The August, 1869, term of the court was held by all three of the judges. At this term of the court there were five opinions handed down.

By an act of the legislature of the territory, passed in 1869, the judges of the supreme court were appointed a commission to codify and arrange the statutes. The judges divided the work among themselves so that the revision of the civil practice act fell to Chief Justice Warren, that of the criminal law and procedure to Judge Knowles, and that of the general laws to Judge Symes. The result of the work of the commission is embodied in a volume entitled "Codified Statutes, Seventh Session, 1871-2." After the adjournment of the 1871 term of the supreme court Chief Justice Warren and Associate Justice Symes resigned their offices, and on January 27th, 1871, John L. Murphy, of Tennessee, was appointed associate justice in the place of Justice Symes, and on March 17th, 1871, Decius S. Wade, of Ohio, was appointed chief justice in the place of Warren. Both of the retiring judges resumed the practice of law, Judge Warren at Virginia City, and Judge Symes at Helena. Afterwards Judge Warren removed to St. Louis to practice his profession, and later to the Territory of New Mexico. Judge Symes removed to Denver, where he was afterwards elected to congress. He died at Denver in 1893. Of the difficulties that confronted these

early judges Chief Justice Wade has left us a vivid picture.

"The business of holding district courts in the counties of the three judicial districts of the territory," wrote Judge Wade, "besides two terms per year in each district for the trial of causes arising under the constitution and laws of the United States, and two terms of the supreme court, at the capital, had become laborious and exacting. The only means of travel was by stage coach, the counties were larger than many of the states, and the distances to the places for holding court very great. It is estimated that Judge Wade, before the advent of railroads in 1883, traveled twenty-five thousand miles by stage coach in attending to the holding of courts in Montana, and it is probable that Judge Knowles in his eleven years' service as associate justice accomplished an equal task. The centers of population and business at the time were Virginia City, the capital of the territory; Bozeman, in Gallatin county; Helena, in Lewis and Clark county; Diamond City in Meagher county; Deer Lodge City, in Deer Lodge county, and Missoula, in Missoula county. These places were county seats, and the lawyers traveled from court to court, many of them having cases in every court in the territory.

"The courthouses, like those of most new countries, were not imposing temples of justice. Many important cases, involving large sums of money or valuable property, or perhaps pioneer cases, without precedents for guides, and whose decisions would become foundations in the systems of law for this western world, were fought out in log cabins, or in crude wooden structures whose walls and ceilings were lined with cheese capping for plaster, whose carpets were sawdust or sand, whose chairs were backless boards, and whose jury seats were bare benches.

"The accommodations at the hotels, if the stopping places could be so dignified, for jurors, witnesses, lawyers and judges, were of like character; but for many, the dance houses, the saloons, and the gambling places running



all night with music in full blast, rendered sleeping apartments quite unnecessary.

"To these isolated places, the coming of court was the event of the year, the harvest time; and with beer or whiskey at twenty-five cents per drink, and other things in proportion, the expectations were never disappointed. Everything was carried on at high pressure and with lavish hand. Perhaps this resulted from the ease with which gold was washed from the ground, or it may have been the isolation of the country and the difficulties in reaching it, and the absence of other diversions and pleasures; but whatever the cause, it is certain that never was there a more generous or hospitable people than those of Montana at that period. The latchstring hung on the outside, and there was nothing too good to be shared, even with strangers. Every place of business had its scales for weighing out gold dust, and every lawyer carried a buckskin pouch for the reception of fees—which in amount would have astonished an eastern lawyer and dazed an eastern client—in the same material. But though the fees were large, the lawyers, like other people, seemed to think the supply inexhaustible, and like them were reckless and extravagant. This characteristic did not, however, disqualify them as lawyers. For the number of people in the territory the litigation was very large, owing to the disputes and conflicts concerning mining claims and the appropriation of water; and it is not too much to say that the bar of this period was equal to that of any other country. Notwithstanding the expense and difficulties of transportation, they had fine libraries, and when occasion required would ship large numbers of books at the rate of twenty-five cents per pound to remote countries, to be used there in the trial of cases."

In 1872 Justice Murphy resigned and opened a law office at Bozeman. He afterwards located in San Francisco. September 21st, 1872, Frank G. Servis, of Ohio, was appointed associate justice in the place of Justice Murphy, and served until August 10th, 1875.

Four cases decided by the court at the Jan-

uary term, 1875, are of great historical interest, as they involved the removal of the capital of the territory from Virginia City to Helena. Of the conduct of these cases by the attorneys on the respective sides Judge Wade thus wrote: "It is most unfortunate that the briefs and arguments of counsel (W. F. Sanders, Johnston and Toole, and Chumasero & Chadwick, representing the cases from the Helena side, and Samuel Word, J. G. Spratt, H. F. Williams, H. N. Blake and C. W. Turner, from the Virginia City side) in the cases do not appear in the reports, for not in the judicial history of Montana is there anything more learned or able. Every authority within reach or that could be obtained on either side was presented." The people had voted in 1869 upon the question of the removal of the capital to the city of Helena. Of these cases involving the removal of the capital the late Chief Justice Wade has left the following account:

"It was claimed that the vote showed a majority in favor of Helena, but as the returns unfortunately were burned after reaching Virginia City, before they were canvassed, there was no means of determining officially how the vote stood, and so Virginia City retained the capital.

"The Act of February 11, 1874, authorized another election upon the question of removing the seat of government to the town of Helena, which election took place the following August. The canvass of the ballots by the county commissioners of the several counties had shown a majority of ballots in favor of Helena of 912. Certificates of the canvass and a copy of the abstract of the vote in each county were required to be sent to the secretary of the territory, and from these certificates and abstracts the secretary and the United States marshal, in the presence of the governor, were required to ascertain the result of the election. It was known by the canvass of the commissioners and the abstract of T. E. Collins, county clerk of Meagher county, that the vote of that county had resulted as follows, viz: 561 ballots in favor of Helena and 29 ballots

in favor of Virginia City, but upon opening the abstract of the returns from that county in the presence of the governor thirty days after the election, as required by law, it was found that by mistake, or otherwise, these figures had been transposed, and that by the return and abstract of the vote for that county there had been cast for Helena 29 ballots, and for Virginia City 561 ballots, the effect of which was to give a majority of the ballots cast at the election in favor of Virginia City for the capital.

"The people remembered the failure of the election in 1869, and when they learned of this remarkable transposition of the figures in the abstract from Meagher county it is not at all strange that they were excited. Naturally there were charges of crime and forgery. The count by the commissioners of Meagher county and the abstract of the vote made by the county clerk had been published, the result had been known for thirty days, Helena had received a majority of 532 votes in that county, but the return and abstract when it reached the capital gave to Virginia City a majority of 532 votes in Meagher county.

"It was contended that the only power possessed by the territorial canvassing board was to count the vote as shown by the abstracts, even though the abstracts, by means of mistake, fraud or otherwise, were known to be false, and that the canvassing board possessed no power whatever, after the expiration of the day appointed by law for canvassing the vote.

"These suits were commenced in the supreme court, under a statute of the territory, giving to that court jurisdiction in mandamus proceedings, to have determined whether or not the canvassing board could be required to ascertain the true and correct vote at the election, or whether the court, ascertaining from the proof the correct vote, could require the governor to declare the result by his proclamation. These cases were against the territorial canvassing board, the governor, the auditor, and the treasurer, who had their offices in Virginia City. As they were in every way similar the cases were tried together. To the

petition of the relators it was objected by motion and demurred:

"First: That the supreme court had no jurisdiction to issue a writ of mandamus; no original jurisdiction, and that the act of the territorial legislative assembly conferring such jurisdiction in mandamus proceedings was null and void, as being contrary to the organic act.

"Second: That the relators, being private citizens, had no right or capacity to invoke the writ.

"Third: That no demand had been made prior to the application for the writ.

"Fourth: That the court did not have authority to control the executive by mandamus.

"Fifth: That the act of the legislature requiring of the governor, secretary and marshal the service of canvassing the vote of the territory at a general election, was a requirement unknown to the organic act and in violation of the provisions thereof prohibiting federal officers from holding a territorial office, and, therefore, that the act imposing the duty of canvassing such vote upon federal officers was void.

"These propositions were of vital importance, for if the petitions of the relators were sustained their cases were substantially won, for upon the facts there was no room for doubt, and if the court had no jurisdiction, or the relators no right, that was the end of the proceedings.

"These propositions were argued pro and con for four days, and then the judges, besides what study and investigation they had given to the questions during the progress of the argument, were in consultation one day; and during the following night and the morning of the next day, Wade, C. J., wrote the opinion of the court (Knowles, J., concurring; Servis, J., dissenting), and at two o'clock in the afternoon read the opinion, in which it was held that the act of the legislative assembly conferring original jurisdiction in mandamus upon the supreme court was valid; that the court had authority to issue the writ; that the relators, as private citizens, had the right and capacity to petition for the writ; that no

demand was necessary prior to the application; that the court had authority to compel the executive to perform a ministerial act, and that the legislative assembly had authority to require the secretary and marshal in the presence of the governor to canvass the returns of a general election; and that the imposition of these duties was not the creation of an office.

"The respondents then filed their answers and demanded a jury trial. The demand was refused, and subsequently Knowles, J., rendered an elaborate and able opinion upon the subject. (2 Montana, 258; Wade, C. J., concurring; Servis, J., dissenting).

"Thereupon the causes came on for trial before the court, upon the evidence, and having ascertained therefrom the true and correct vote of the people upon the question of the removal of the seat of government, rendered a decree accordingly, and required the governor to issue a proclamation removing the capital of the territory from Virginia City to the town of Helena, which was done; and thus ended one of the most important and ably conducted legal contests of the territory or state."

Henry N. Blake was the first resident of the territory of Montana to be appointed as a justice of the supreme court. On August 10, 1875, he was appointed associate justice in the place of Justice Francis G. Servis. Judge Servis resigned and returned to Ohio, where he was subsequently elected judge of a court of common pleas. There he died at Canfield in March, 1877.

The chief justices of the territorial supreme court, with their terms of office, were Hezekiah L. Hosmer, from June 30, 1864, to July 18, 1868; Henry L. Warren, from July 18, 1868, to March 17, 1871; Decius S. Wade, from March 17, 1871, to May 2, 1887; Newton W. McConnell, from May 2, 1887, to March 26, 1889; Henry N. Blake, from March 26, 1889, to November 8, 1889. The associate justices of the territorial supreme court, with their terms of service, were Ammi Giddings, from June 22, 1864, to March 11, 1865; Lorenzo P. Williston, from June 22, 1864, to July 18, 1868; Lyman E. Munson, from March

11, 1865, to April 5, 1869; Hiram Knowles, from July 18, 1868, to July 1, 1879; George G. Symes, from April 5, 1869, to January 27, 1871; John L. Murphy, from January 27, 1871, to September 21, 1872; Francis G. Servis, from September 21, 1872, to August 10, 1875; Henry N. Blake, from August 10, 1875, to March 2, 1880; William J. Galbraith, from July 1, 1879, to January 28, 1888; Everton J. Conger, from March 2, 1880, to February 19, 1884; John Coburn, from February 19, 1884, to August 17, 1885; Charles R. Pollard, from January 4, 1885, to August 6, 1886; James H. McLeary, from August 6, 1886, to April 2, 1888; Thomas C. Bach, from August 9, 1886, to November 8, 1889; Stephen DeWolfe, from January 28, 1888, to November 8, 1889; Moses J. Liddell, from April 2, 1888, to November 8, 1889.

The chief justices of the supreme court of the state of Montana, with their terms of service, have been Henry N. Blake, from November 8, 1889, to January 2, 1893; William Y. Pemberton, from January 2, 1893, to January 3, 1899; Theodore Brantley, from January 3, 1899, to the present time. The associate justices of the supreme court of the state, with their terms of service, have been Edgar N. Harwood, from November 8, 1889, to January 7, 1895; William H. DeWitt, from November 8, 1889, to January 4, 1897; William H. Hunt, from January 7, 1895, to June 4, 1900; Horace R. Buck, from January 4, 1897, to December 6, 1897; William T. Piggott, from December 24, 1897, to January 5, 1903; Robert Lee Word, from June 4, 1900, to January 7, 1901; George R. Milburn, from January 7, 1901, to January 7, 1907; William L. Holloway, from January 5, 1903, to the present time; Henry C. Smith, from January 7, 1907, to January 6, 1913; Sidney Sanner, from January 6, 1913, to the present time.

The act of congress of July 26th, 1866, declared the mineral lands of the public domain free and open to exploration and occupation, subject to such regulations as might be prescribed by law, and subject also to the local rules and customs of the miners in the several



mining districts, so far as the same did not conflict with the laws of the United States. The first legislative assembly of the territory had previously (December 26, 1864,) passed an act relating to the discovery of gold and silver quartz leads, lodes and ledges, and regulating the manner of their location. This territorial legislative act preceded the congressional act by a year and a half. The act of the legislature was the outgrowth of the rules of the miners in the mining districts, and was in reality the foundation of the act of congress of July 26th, 1866. In July, 1870, congress passed an act recognizing the rules and regulations of the miners, and providing for the acquirement of title to placer mining claims. Prior to this time the principal business in the territory had been placer mining, and the most important litigation had relation to that kind of mining and to water for mining purposes. The act of congress of May 10th, 1872, provided for the location of quartz lode mining claims. This act was but the mere framework of the law of quartz mines, upon which the courts were to build in adjudicating rights arising under the statute. The courts of Montana had much to do in making the modern law of mining rights. In the beginning there were no precedents to guide the judges, and every question that arose was a new one.

After a service of nearly eleven years as associate justice of the supreme court of the territory of Montana Justice Knowles resigned in 1879, in order to enter upon the practice of law. He was succeeded by William J. Galbraith, of Iowa, as associate justice. Judge Knowles afterwards became the first United States district judge in the state of Montana. He was appointed to this office by President Harrison soon after Montana became a state in 1889. Judge Blake retired as associate justice of the supreme court March 2d, 1880, and was succeeded by Everton J. Conger, of Illinois. Justice Conger continued in office until February 19, 1884. He had served in the federal army during the Civil war, and was subsequently in command of the troops who cap-

tured John Wilkes Booth, the assassin of President Lincoln. He was succeeded as associate justice by John Coburn, February 19, 1884. Ever since his retirement from the bench Judge Conger has resided at Dillon.

Judge Coburn remained in office only until August 17, 1885. After his retirement from the bench he returned to Indiana, whence he had come, and resumed the practice of law. Charles R. Pollard, of Indiana, was appointed in the place of Justice Coburn, but failed of confirmation by the senate, and on August 6th, 1886, President Cleveland appointed James H. McLeary, of Texas, to fill the vacancy; and on the same day appointed Thomas C. Bach, of Butte, Montana, as the fourth judge of the supreme court of the territory. Up to this time there had been but three judges. Judge Bach was the second Montanian to be appointed as a justice of the supreme court. Judge McLeary continued in office until April 2d, 1888, and Judge Bach continued in the office of associate justice until the territory became a state, November 8, 1889. Judge McLeary resigned as associate justice in 1888, his resignation taking effect April 2d of that year, and was succeeded by Moses J. Liddell, of Louisiana, who was appointed by President Cleveland April 2d, 1888. He served until the admission of Montana into the union as a sovereign state. Judge Liddell was the last associate justice appointed for the territorial supreme court, while Judge Blake was the last chief justice to be appointed for that court.

After sixteen years of service as chief justice of the territorial supreme court Judge Wade retired May 2, 1887, and was succeeded by N. W. McConnell, of Tennessee. Associate Justice Galbraith was succeeded January 28, 1888, by Stephen DeWolfe, of Butte. Judge DeWolfe was the third citizen of the territory of Montana to be appointed to the supreme bench. Chief Justice McConnell resigned in March, 1889, his successor being Henry N. Blake, formerly associate justice.

For the first twenty-two years, under the territorial government, there were but three judges to hold the district courts, the supreme

court, and the United States district courts in Montana. During the last three years of territorial existence there were four judges. Upon the admission of Montana as a state this system was changed. The constitution provided for a supreme court consisting of three members who had no other duties than those of judges of the supreme court. State district courts were provided for, and, of course, a federal district judge was appointed. The eight and one-third volumes of the reports of cases decided by the territorial supreme court contained about thirteen hundred opinions of the judges. These same judges probably tried more than twelve thousand cases in the district courts of the territory, besides a great many cases in the federal district courts.

Under the constitution of Montana the state was first divided into eight judicial districts. The first district court judges were William H. Hunt, judge of the first district, consisting of the county of Lewis and Clark; John J. McHatton, judge of the second district, consisting of Silver Bow county; David M. Durfee, judge of the third district, consisting of Deer Lodge county; C. S. Marshall, judge of the fourth district, consisting of Missoula county; Thomas J. Galbraith, judge of the fifth district, consisting of Beaverhead, Jefferson and Madison counties; Frank Henry, judge of the sixth district, consisting of Gallatin, Park and Meagher counties; George R. Milburn, judge of the seventh district, consisting of Yellowstone, Custer and Dawson counties; and C. H. Benton, judge of the eighth district, consisting of Choteau, Cascade and Fergus counties. After the codification of the laws by Judges Warren, Knowles and Symes in 1871 and 1872 the statutes were again revised in 1879, and again in 1887. In 1889 an act of the territorial legislature was passed authorizing the creation of a code commission to prepare and submit to the legislature four codes, viz: a civil code, a penal code, a code of civil procedure and a political code. This act was the result of agitation by members of the bar of the territory. Ex-Chief Justice Wade, Ex-Governor B. Platt Carpenter, and F. W. Cole were ap-

pointed members of this commission. In February, 1892, the code commission completed its labors and submitted the result to the legislative assembly in January, 1893, with the recommendation that the four codes prepared be enacted into law. The legislature, unfortunately, adjourned without taking action in the matter. By provision of the constitution the laws of the territory were continued in force until they were repealed or others were enacted in lieu thereof. The codes were finally adopted by the state legislature in 1895. Comparatively few of the citizens of the state realize the importance of the work performed by the code commission, which, as stated, was the result of a movement of the members of the bar of the territory. Colonel Wilbur F. Sanders made the work of the code commission the subject of a very learned address that he delivered before the Montana Bar Association on January 14th, 1896. A part of this address is here given as follows:

"As this Bar Association took upon itself some years ago to secure by the co-operation of the lawyers and legislators of this state the enactment of an improved system of laws, which has culminated in the adoption of the four codes of 1895, it seems desirable that we should know something of the achievement which has been ours. The people of this state do not comprehend, nay, I fear the lawyers of this state do not comprehend how splendid a system of laws has been adopted in the state of Montana, and it is a pleasure as well as a duty to hold it up before all the people of the state as being the greatest achievement and conquest of which we are permitted to boast. More than half a million words wisely put together, covering with their benignity every condition of human existence, and having the force and effect of law is a gift to any people of which they may well be proud. In every language used by civilized man, moralists, philosophers, lawyers, orators, and legislators, through more than twenty-five hundred years of human history, have been engaged in two essential and Herculean tasks: First: To ascertain that which is right: And second:

To express that rule of right in the simplest form of speech possible. There have been many aberrations and failures but from it all has been evolved a system of laws not greatly dissimilar in any civilized country which for excellence is adequate for the present and will project itself with immaterial modifications into a very remote future. This superiority of the common law was vaunted and thoroughly believed in by lawyers and statesmen to whom the common law came as an inheritance; but even then common law lawyers familiar with the learning of other times were cognizant of the fact that the earliest common law writers were profoundly skilled in the maxims of Roman jurisprudence. Glanville and Bracton and Fleta aspiring to a statement of the English common law were profoundly versed in the civil law, and disguised it to be sure, but they transferred large portions of it into the common law of England. So far as its ethical quality was concerned, in the nature of things there could be very little dissimilarity. The common law forms which were maintained in all their vigor through so many years of English and American history did not find example or refuge in the civil law. From this reservoir of wisdom from all these sources comes our law of the day. Principles tried as by fire in the sweet air or delightful studies in the sordid affairs of life and in the fierce trial of battle have revealed to us the heirs of all the ages—the essential and ultimate truth of which our recent codes are the simplest expression.

“I have thus spoken to you of the sources of the law, and somewhat of its growth; but the theme is a vast one, and is the admiration of all its devotees. I should be glad if I could make you feel that this was your heritage and your law; that you would take a personal interest in it and appreciate that it is an aggregation of the rules of human conduct, the measure of human rights, ordaining methods for the redress of wrongs which are your chiefest possessions. The law is not something exclusively for the knowledge and employment of lawyers and judges; it is not to be exclusively

or largely in their keeping; the plainest citizen ought to be grounded in its elementary principles. There was a time when it was sought to be hidden from all but professional lawyers, even in our Mother country. In England to the end that it might not be comprehended by persons pursuing other vocations, it was couched in barbarous jargon known as Norman or law French; and the pleadings in court were divided between that apology for a language and the Latin tongue. Its ministers were dressed in gaudy or solemn robes and whatever of ceremony could inspire in the breast of ignorance fear in its administration was invented and used for centuries. I need not say in those days the law itself was cruel. It was emerging from eras when the humanities did not prevail; and we need go back little more than a century to discover the atrocities which were perpetrated in its name. Even so recently as when I was born, counsel were denied to persons accused of capital crimes. It was said the judge was the guardian and protector of the prisoner, and at that period there were more than a hundred offenses punishable capitally. Order was no better maintained than it is now, crime was as frequent as in modern times, and the chasm between those who obeyed the law, and those who administered it seemed fathomless and wide. The people were not taught to believe that it was their possession, and they came to look upon it somewhat as their enemy as from such a quality and administration they naturally would. Modern times have ameliorated it, and the law is now the poor man's friend and the ignorant man's friend.

“This Bar Association and the legislature of Montana appreciated the value of these labors, and it may be securely stated that the legislative assembly would not have passed the codes had it not been for this organization. I do not say this with any desire to detract from the merits of this action, or diminish the credit due to the legislature for having given to the people of this state this system of laws. It is certain that not all the members appreciated the excellent work they were doing, and had



it been universally known how vast a system of law they were passing and placing upon our statute books, it may be doubted if it would have been passed at all. At a meeting of your committee with certain gentlemen of the legislative assembly appointed by that body to secure information touching the codes, one member aroused himself from a sleep to inquire if the codes as reported made any change in the existing law; and I confess that I somewhat approved the prevarication of one of your members who assured him that it did not. The exhaustive and exhausting volume known as the compiled laws of Montana came to the relief of the Bar Association as they were out of print, and as something was required to be done, and these laws were at hand, adapted somewhat to the necessities of the condition, the task of securing their passage was very much lightened. Of the value of such a compilation as ours, I entertain a very high opinion. It has been my fortune to attend many meetings of the American Bar Association where the conservatism of New Jersey, Massachusetts and Pennsylvania has come in contact with the radical experience of Louisiana, and the virile ambitions of Georgia, New York, California and other states who do not believe that all virtue is petrified in the old formulas of the common law; and to hear the subject discussed by men who have given a lifetime of service and study to the questions which are involved. Most of Continental Europe and Great Britain now enjoy the codification of their laws. The ten thousand volumes of reports in which are now embodied the decisions of the judicial tribunals, a number of which are questions capable of statutory regulation, are now compressed into a single volume, where the precise principle of law involved is stated in simple, brief, perspicuous and comprehensive words. A gentleman who had spent years of his life in France stated at the American Bar Association that nothing was more common than for tradesmen in various portions of that country to keep a copy of the Code Napoleon upon their shelves; and frequently during their mercantile business when questions

of doubt arose as to bargains, took the book down and turned to the particular provision determining the controversy. Unquestionably the adoption of a code enables the common people better to understand the law under which they live and which regulates their affairs. If any member of the profession of the law wishes that the common people should remain in ignorance of its more common provisions, no doubt he is consistent in opposing its adoption, for it is the compressed common sense of mankind couched in such language as to be fitted to the comprehension of non-professional people, and as to very much of it no glossary or commentary can make it more perspicuous. Probably a greater part of our code proper was borrowed from California, which in turn had taken it from other jurisdictions where it had been prepared and reported, if not adopted. Very many of the subjects and chapters, however, were taken from the laws of other states. Our own commission upon a comparison with such other legislation, and being free by its authority to choose, selected from Missouri, Ohio, New York, Colorado and other states those matters which in their view were better adapted to our condition than were the laws of California. Of course it would be idle to claim perfection for this code; defects exist in it, and will be found day by day. It is a vast system of law. It was designed to comprehend and regulate every form of human activity. The book in which it is published contains more than a million letters, and over ten thousand sections.

"The passage of this system of law in Montana was greeted with distrust, but it will remain a monument to the sagacity, intelligence and ability of the gentlemen who reported it for a great many years. One of its compilers has recently died after a brief identification with our Bar; but I apprehend his relations to this codification will perpetuate his name and memory after some of us who have spent a life-time in the practice of the law here are forgotten. Had the code been passed precisely as it was reported by the commission, while it

would have had more perspicuity and coherence, it doubtless would have been found upon observation to have been imperfect; possibly in places contradictory; but when a non-professional legislature charged with the duty of looking after exceptional interests, and not experienced in legislation or familiar with legal terminology sought to graft upon this body of law those statutes enacted in 1893, and those also enacted in 1895, it is no wonder that many contradictions and some absurdities are made manifest.

"Around every session of the legislature there are vultures who have private ends to subserve, which they disguise as well as they may, and secure legislation in their behalf. And so it is that some absurd and unconstitutional provisions have crept into the legislation now known as the Codes of Montana. There are a number of instances of this kind manifest; perhaps as flagrant as any. I may instance Section 410 of the civil code, which was passed in 1895, and which is in exact contradiction to Section 525 of the same code; and it not only has that infirmity, but is also in violation of the provisions of our state constitution, Article XV, Section 10. In addition to this infirmity, it was a statute presented to the legislature in the interests of fraud; but its design was so masked that a majority of the legislators did not detect it. Its insertion in the statutes therefore scarcely justifies pride in the boast of the gentlemen who claim that their chicane secured its passage.

"The public criticism in the newspapers of this code is generally an exaggeration. It cannot be claimed that it is perfect or that in its scope it covers every contention that may arise between man and man; but its contradictions can be reconciled easily. This body of laws is so wholly different from the ordinary statutes of a state as to make it useful for popular reading, and as a school book. The law which is comprised in the civil code is complete, more extensive and elaborate than all law with which any mere student was able to familiarize himself in a like compass before codification assumed its form. If a law student should

familiarize himself with one text book a month, and study law for two years, he would not be so familiar with, or so thoroughly grounded in so many legal themes as his familiarity with this would make him. The common people of the state who wish to pursue their industries in peace and enjoy their rewards, who have no axes to grind, who do not wish to be the victims of chicane or climb to wealth or power at the expense of others, but believe that industry should be left to normal influences and processes for development, and who do not think that wealth or ease comes by legislation, will find in the provisions of these laws their most cherished possessions. Almost every condition of human affairs in which they are interested is rightly regulated in this body of laws. They ought to cherish it, to insist upon its continuance as a sheet anchor of their safety, as a bulwark against the insidious approach of harmful power, as a protection against chicane and false pretense; and they ought to familiarize themselves with all its provisions before they consent that it shall be in any material way changed. Its plainness of speech reduces those provisions to the comprehension of the unlearned, and therefore it is a book which they can all study and comprehend. It is the wisdom of this world concentrated, tried as by fire, and formulated in words for the regulation of human affairs by men who are wiser and more learned than in these exacting and exciting times any of us are permitted to be.

"Believing that the people of Montana owe much to their own code commission, where else can that appreciation find more fitting expression than in this association of lawyers, whose knowledge enables them fitly to comprehend the benignity of the great work they accomplished? The territorial legislative assembly which created, and the legislative assembly that adopted it, are entitled in this meeting to a very grateful mention. And our former chief justice, the Honorable D. S. Wade, our ex-governor, the Honorable B. Platt Carpenter, and the Honorable F. W. Cole appropriately share our appreciative gratitude. Many

temptations are presented to gentlemen employed as they were to impress their personal desires and opinions upon the legislation of the state, but so far as I have been able to examine they lifted themselves above mere personal considerations, and reported a system of laws wholly creditable to their intelligence and useful to all the people."

On January 8th, 1885, the Montana Bar Association was organized at Helena, Montana. Two days before a call was published in the daily papers of Helena for a meeting of the members of the bar of the territory for that purpose. It was in response to this notice that a number of the lawyers met in the court house at Helena on the evening of January 8th. Colonel Wilbur F. Sanders was chosen chairman, and Horace R. Buck as secretary of the meeting. It was William H. Hunt, now one of the circuit judges of the United States for the ninth circuit, who offered and moved the adoption of the following resolution: "Resolved: That it is the sense of the lawyers here present that the interests of the profession would be promoted, the administration of the law be improved, better legislation be secured, and every department of government be rendered more efficient by the organization and maintenance in the territory of Montana, of an Association of the Bar thereof, engaged in active practice therein, and that we will now proceed to such organization, of which every member of the profession in good standing engaged in the practice of the law in Montana shall be eligible to membership." After the adoption of this resolution the following committee was appointed to draft a constitution, with instructions to report at an adjourned meeting on the evening of January 12th, four days later: William H. Hunt, Hiram Knowles, Elbert D. Weed and Frank H. Armstrong. At the adjourned meeting held at the court house Monday evening, January 12th, 1885, the committee reported the draft of a constitution for the bar association which was that evening adopted. The constitution being adopted the meeting proceeded to the election of the following officers: Wilbur F. Sanders, president:

Hiram Knowles, vice president for Silver Bow county; Thomas C. Marshall, vice president for Missoula county; Robert B. Smith, vice president for Beaverhead county; Henry N. Blake, vice president for Madison county; Mack J. Leaming, vice president for Chouteau county; J. C. Robinson, vice president for Deer Lodge county; Fletcher N. Maddox, vice president for Meagher county; George F. Cowan, vice president for Jefferson county; Andrew F. Burleigh, vice president for Custer county; S. H. Wilde, vice president for Yellowstone county; F. K. Armstrong, vice president for Gallatin county; W. E. Lonergin, vice president for Dawson county; William Chumasero, vice president for Lewis and Clark county; W. H. Hunt, corresponding secretary; A. K. Barbour, recording secretary; and W. E. Cullen, treasurer.

Had the Bar Association of Montana accomplished nothing else in all the years of its existence from that time until the present it would still be entitled to the lasting gratitude of the people of Montana for bringing about the codification of the common law. The question was agitated by members of the bar association at its meetings during several years. At an adjourned meeting of the association held at Helena, January 6, 1887, the committee on jurisprudence and law reform presented the following resolutions, which were adopted:

"*Resolved*, that it is the sense of the Montana Bar Association that the principles and rules of the common law, so far as possible, should be reduced to the form of a statute, thereby settling disputed principles, bringing the great body of the law into a smaller compass and placing it within the reach of all.

"*Resolved*, that, whereas the enactment of a code presupposes the existence of one synthetic, current and logical system of laws, this association recommends the fusion of common law and equity into one single, systematic and harmonious body of laws, both as to principles and practice upon the following basis, to-wit: that in case of conflict the rules of equity prevail; that the remedies be made cumulative and concurrent; that the rules and



spirit of interpretation and application of the new system be the same as now prevail in equity; and that this be done at the time of the enactment of the general statutes recommended by the Committee on Jurisprudence and Law Reform, or as a preliminary step thereto."

At the next meeting of the bar association, on July 14, 1887, Mr. W. E. Cullen delivered an address on the subject of the codification of the common law, which shows literary ability of a high order and a familiarity with the history of the world's jurisprudence that could only be acquired after years of the most diligent study. I regret that the limits placed upon this chapter will not permit the insertion of Mr. Cullen's address, for it is a masterpiece that deserves a permanent place in the literature of Montana's jurisprudence.

The agitation for the codification of the laws was kept up by members of the bar association even after the report of the code commission, and until the bar finally succeeded in securing the adoption of the codes of 1895. At a meeting of the bar association held on April 5th, 1894, Ex-Chief Justice Wade delivered an address upon the necessity for codification. He spoke with such earnestness, with such convincing logic that it seemed at the conclusion of his address all opposition to codification would be swept away. The introductory part of his address was as follows:

"In our country all persons of full age and sound mind and memory, except judges and lawyers who make the law their life study, are conclusively presumed to know the law. Their rights are adjusted, their liabilities fixed, and their conduct regulated, upon the theory that they are informed as to all their legal rights and duties, and as to the consequences of all their acts. As to judges and lawyers this presumption holds good concerning their own rights and liabilities, but when they come to determine and adjudicate upon the rights and liabilities of other persons, the presumption vanishes, and they are compelled to study and learn the law before they know it, and even then their conclusions are often contradictory and uncertain. There is no person in

our country, however learned he may be, who knows all the law, but there is no person, however ignorant he may be, even though he never saw a law-book and cannot read or write, who is not presumed to know all the law and to regulate his conduct accordingly. He is charged with knowledge he does not possess and cannot acquire; he must observe rules that he cannot see, and obey commands that he cannot hear. Not only is he charged with a knowledge of that small fraction of the law which is contained in our constitutions and statutes, but with the whole body of the common law, which, when not in conflict with the written law, is, as to our country, the law of the land.

"What is the common law which everyone is charged with knowing at his peril, and where is it to be found? It is case-made law and is evidenced by the decisions of the courts of England and America, and is contained in seven thousand volumes of reports covering a period of a thousand years. Without an opportunity to study or examine these ponderous volumes, and not having the necessary training to understand, if they should read them, our people are presumed to know all the law they contain, though hidden away and covered up by the accumulated rubbish of centuries. When we look into these volumes—into this great reservoir of the common law, that law which we have been taught to revere as the perfection of human reason—that law which not very long ago authorized the settlement of legal controversies by wager of battle; which, far into the present century denied to persons accused of crime the benefit of counsel; and which authorized capital punishment for larceny and one hundred and sixty other crimes—we find decisions contradictory and irreconcilable; decisions overruling, modifying, limiting or enlarging other decisions; right decisions supported by wrong reasons, and wrong decisions supported by good reasons, by technicalities, or by no reasons at all; verbose and involved decisions, obscured by *obiter dicta* and speculative theories; broad and learned decisions, and narrow and igno-

rant ones; and decisions that decide the same thing over and over again.

"Common law judges and lawyers are very much influenced and controlled by precedent. They spend their lives in searching for decisions that will determine the question in hand, but as precedents may generally be found on both sides of the question, the law is rendered doubtful and uncertain as to the most learned, and as to those who by intuition are presumed to know it in all its length and breadth, with its thousand variations and exceptions, it is a dark and insoluble mystery. The Emperor Caligula has received the contempt and hatred of mankind because he made decrees and laws and punished his subjects for disobeying them before they had been published or made known. Duruy, in his history of the Roman people, in speaking of this emperor, says: 'Taxes of all kinds were established—two and a half per cent on all sums in litigation before the tribunals of the empire; taxes upon porters, on courtesans, and even, which was more serious, on all articles of food offered for sale in Rome.' These taxes were levied before they had been publicly announced; and when there arose complaint, the emperor caused the decree to be written in so small characters and put up so high that it could not be read—which gave him the opportunity to find many people guilty of disobedience. If this was the refinement of despotism and cruelty, it was not much more cruel than to charge all the people at their peril with full and perfect knowledge of the law, which knowledge they cannot obtain, and which law is so obscure and uncertain that the most learned lawyers disagree as to what it really is. Placing the decrees so high on the pillars that they could not be read by the people was not a more effectual obscuration of the law than to secrete it within the chaff of seven thousand volumes of contradictory reports. The theory that the people are presumed to know the law is undoubtedly correct, for it would not do to determine the rights of one by the ignorance of another, but the wrong about

it is in permitting the law to remain in such a condition that neither lawyers nor laymen can determine just what the law is. But very many principles of the common law have, by the decisions of the courts, become fixed and settled beyond dispute. This being so, what valid objection can there be to collecting these principles together, from the unwieldy mass of reports, and enacting them into statutes clothed in plain and simple language, and made accessible to all? And should not the principles and questions which the decisions leave in doubt, or make obscure, be rendered certain and clear in the same manner?"

It is not so essential in this chapter to treat at length the work of the supreme court of the state as it is that the history of the courts of the territorial days be set forth, and for these reasons: the work of the judges of the supreme court of the state is more recent. Most of the judges of that court are still living, and its records are more complete—while there is no public record of much that was accomplished by the early judges, and the incidents of the struggles of the judges in earlier days are in danger of being lost unless placed now in some permanent form. When the state was admitted to the Union the judges of the supreme court, who had been elected at the recent election, were Henry N. Blake, chief justice; William H. DeWitt, and Edgar N. Harwood, associate justices. The first case decided by the supreme court of the state was that of *State v. Ah Jim*, a Chinaman, and the decision of this case is reported in Volume 9 of the *Montana Reports*, commencing at page 167. The first question presented to the supreme court was a constitutional question as to the interpretation of Section 8 of Article VIII of the new constitution. The section referred to provided that "all criminal actions in the district court, except those on appeal, shall be prosecuted by information, after examination and commitment by a magistrate, or after leave granted by the court, or shall be prosecuted by indictment without such examination or commit-

ment, or without such leave of the court." The court held that this clause of the constitution did not execute itself, and before it could be carried into effect the exercise, jurisdiction and limitations of the procedure, and the rights and pleadings of the state and the accused, must be defined by the legislative department. A complete record of all subsequent decisions of the supreme court of the state is to be found in the reports of its decisions and are accessible to all of Montana's citizens.

From the organization of the territorial supreme court to the end of the January, 1873, term one hundred and four lawyers had been admitted to the bar. They were: Rufus E. Arick, Charles S. Bagg, Alexander H. Beat- tie, Martin Beem, Gaylord G. Bissell, Henry N. Blake, Lewis W. Borton, James H. Brown, William L. Brown, John P. Bruce, Massena Bullard, Henry Burdick, H. Burns, James E. Callaway, A. M. S. Carpenter, James M. Cavanaugh, Walter F. Chadwick, William H. Chiles, William Chumasero, William H. Clag- ett, George S. Coleman, Harry R. Comly, Jerry Cook, John W. Corum, David Cowan, George F. Cowan, William E. Cullen, Alex- ander Davis, Joseph J. Davis, Francis C. Deimling, John Desbeck, W. W. Dewey, Thomas J. Dimsdale, William W. Dixon, James K. Duke, Sidney Edgerton, Thomas R. Edwards, Larkin Fleshman, A. G. P. George, M. B. Harrison, Cornelius Hedges, Hezekiah L. Hosmer, J. Allen Hosmer, J. A. Johnston, William F. Kirkwood, L. B. Ly- man, William Y. Lovell, Thomas J. Lowry, William I. Marshall, George May, Alexan- der E. Mayhew, O. F. McCarty, W. J. Mc- Cormick, J. L. McCullough, William L. Mc- Math, Louis McMurtry, Christian Mead, Elawson C. More, Theophilus Muffly, Thomas L. Napton, Edward B. Nealley, Sample Orr, Merritt C. Page, R. B. Parrot, William Y. Pemberton, E. F. Phelps, George M. Pinney, John Potter, Benjamin F. Potts, Lewis C. Reyburn, R. H. Robertson, J. C. Robinson, John H. Rogers, Thomas V. Russell, Wilbur F. Sanders, L. J. Sharp, Edward Sheffield,

John H. Shober, John S. Slater, Green Clay Smith, H. P. A. Smith, Andrew J. Snider, James G. Spratt, William M. Stafford, George W. Stapleton, William J. Stephens, E. C. Stoddard, J. H. D. Street, O. P. Strickland, George G. Symes, Thomas Thoroughman, Ed- win W. Toole, Joseph K. Toole, James Tufts, John C. Turk, Charles W. Turner, Robert P. Vivion, Henry L. Warren, J. R. Weston, Henry F. Williams, J. J. Williams, R. H. Wil- liams, Alexander M. Woolfolk, Samuel Word.

Since then several thousand lawyers have been admitted to practice by the territorial and state supreme courts. The bar of Mon- tana compares favorably with that of any other state in the Union.

Henry L. Warren, the second chief jus- tice of the supreme court of the territory, was born at Warsaw, Illinois, in 1837, though he was reared at Quincy, Illinois. In 1853 he became a cadet in the United States Naval Academy at Annapolis, and made one cruise in 1854. At the end of his second year in the academy he resigned and returned to Quincy. In 1858 he began the practice of law at Marysville, Missouri. About the time of the commencement of the Civil war he re- turned to Quincy and became master in chan- cery and city attorney. On July 18, 1868, President Johnson appointed him chief jus- tice of the territory of Montana, and with Hiram Knowles he took the oath of office at Keokuk, Iowa, before Justice Miller of the United States supreme court. He arrived in Montana in August, 1868, and at once entered upon the discharge of the duties of his office. He resigned in 1871 and formed a law partnership with Wilbur F. Sanders. At the fall election in 1871 he was elected to the council of the territorial legislature from Madison county and served until the next spring, when he returned to Quincy. He af- terwards lived in St. Louis, and later, in 1881, settled in New Mexico, where he con- tinued the practice of law.

Among the prominent names of the mak- ers of history in Montana is that of Decius



S. Wade, who was for a little more than sixteen years chief justice of the territorial supreme court. He was born in Andover, Ohio, January 23, 1835, and was educated in the public schools in the town of his birth and in Kingsville Academy. For six winters, commencing when he was at the age of sixteen, he taught school, at the same time pursuing his academic studies. His study of law was under the preceptorship of his uncle, Senator Benjamin F. Wade, and he was admitted to the bar of Ohio in September, 1857. From then until 1860 he practiced law at Jefferson, Ohio, and was then elected, at the age of twenty-five years, probate judge of Ashtabula county, and held this office for a period of seven years. He was a soldier on the Union side in the Civil war, and returned to the practice of law after his military career. In 1869 he was elected state senator from his district in Ohio and served during two sessions. While serving as a state senator in Ohio he was, on March 17, 1871, appointed chief justice of the supreme court of the territory of Montana by President Grant. He was reappointed by Presidents Grant, Hayes and Arthur, and served as chief justice for four consecutive terms and until the second day of May, 1887. As a result of his sixteen years on the territorial supreme bench, during the most interesting period of Montana's history, his name will always be associated with its jurisprudence. Soon after his retirement from the bench he became the senior member of the firm of Wade, Toole and Wallace, composed of himself, E. Warren Toole, and William Wallace, Jr., at Helena, Montana. In the spring of 1890 he was appointed by Governor White as chairman of the code commission, a commission appointed under authority of law to codify the laws of Montana. Though his services to the territory as chief justice of the supreme court were great and their influence of a lasting character, his greatest service to Montana was probably rendered while he served on the commission to codify the laws. The other members of the commission were ex-Governor B. Platt

Carpenter and F. W. Cole. In addition to his duties as a code commissioner Judge Wade was also charged with the duty of arranging the work for publication, and he did this with the painstaking fidelity characteristic of him. It is no disparagement to the other great lawyers and judges of Montana to say that Judge Wade probably did more than any other man to lay the foundation of Montana jurisprudence. The reports of his written opinions are an enduring monument to his name.

Ex-Chief Justice N. W. McConnell was born in Marshall county, Tennessee, and was reared in his native state, but educated at Alleghany College in Meadeville, Pennsylvania. He began the practice of law at Hartsville, Tennessee. While living there he was elected to the state senate in 1872. In April, 1875, he was appointed one of the circuit judges in Tennessee, to fill an unexpired term, and was elected for a term of eight years to succeed himself. His judicial services in Tennessee continued until the fall of 1886, and in April, 1887, he was appointed by President Cleveland as chief justice of the territory of Montana, and entered upon his duties as such on the second of May following, and served the territory in that capacity until March, 1889.

Judge Henry N. Blake, who served as associate justice and as chief justice of the territorial supreme court, and afterwards as chief justice of the state supreme court, was born in Boston on the fifth of June, 1838. In 1858 he graduated from the law school of Harvard University, and began the practice of his profession in his native city. He removed to Montana in 1866, and was for about forty-five years thereafter one of the most conspicuous figures in Montana. He has recently removed to Milton, Massachusetts, where he now resides. He was appointed United States Attorney for Montana Territory April 22nd, 1869, and continued in this office until March, 1871, when he resigned to accept the office of district attorney for the first judicial district of the territory, consisting of Madison, Beaverhead and Yellowstone counties.

At the election in 1871 he was elected for a term of two years to succeed himself. The supreme court of Montana Territory on June 9th, 1872, appointed Mr. Blake as reporter of the decisions of that court. He prepared the first volume of Montana Reports for publication, and assisted in the preparation of the second and third volumes. In 1874 he was elected to the legislative assembly, but resigned on the tenth of August, 1875, to accept the position of associate justice of the supreme court, which office he held until March 2nd, 1880. Afterwards he became chief justice of the supreme court of the territory, and was the first chief justice of the supreme court of the state, being the only man who ever served in three capacities on our supreme bench; first as associate justice of the territorial supreme court, then as chief justice of the territorial supreme court, and finally as chief justice of the state supreme court.

The second chief justice of the state supreme court was William Young Pemberton, now residing in Helena, and who has lived in Montana since 1863, except for twelve years. Judge Pemberton was born at Nashville in 1843, though reared in Missouri, where he lived until after he attained his twenty-first year. He was educated at the Masonic College, Lexington, Missouri, and at the Cumberland Law School in Lebanon, Tennessee, from which latter institution he graduated in 1861. Mr. Pemberton reached Virginia City in 1863, and continued to live there until he took up his residence in Helena in 1865, being one of the first settlers at the latter place. From 1868 to 1880 Judge Pemberton lived in Missouri and Texas, but returned to Montana in the latter year and settled at Butte City. In 1882 he was elected district attorney of the western district, and re-elected to succeed himself in 1884. In March, 1891, he was appointed district judge of the second judicial district, and held this office until January first, 1893, at which date he entered upon his duties in the office of chief justice of the supreme court of Montana, to which he had

been elected at the previous November election. He served as chief justice for a term of six years, giving way, January third, 1899, to his successor Theodore Brantley. Judge Pemberton was one of the reporters who wrote the testimony given at the trial of George Ives, the first outlaw who was hanged by the citizens' criminal court. He is now librarian of the state historical society, and counts all the people of Montana as his friends.

Judge James Harvey McLeary, who was appointed to the territorial supreme bench by President Cleveland in 1886, was born in Smith county, Tennessee, July 27, 1845. He settled with his father's family in Texas in 1856. At the age of sixteen years, in 1861, he enlisted in the Confederate army in the Fifth Texas Cavalry, and served until the end of the war. His education was obtained at Washington and Lee University, from which place he graduated at the head of his class in 1868 with the A. B. degree. He also studied law at Washington and Lee and there, in 1869, received the degree of bachelor of laws. In 1880 he was elected attorney general of Texas, but declined a re-election two years later. In 1884 he was chosen as one of the presidential electors at large from that state and cast his vote for the first democratic president since Buchanan. His service upon the bench of the supreme court of the territory of Montana continued not quite two years when he resigned in 1888 and returned to Texas and resumed the practice of his profession.

An act of congress, approved in 1886, provided for an additional justice of the supreme court of the territory, and Thomas C. Bach was appointed to fill the office thus created, and was the second citizen of Montana to serve as a judge of that court. He was born in Brooklyn, October 10, 1853, and graduated from Columbia College in 1875 with the bachelor's degree, and in 1877 received from that seat of learning the degrees of A. M., and LL. B. He settled in Montana in 1884 and formed a partnership with William H. De-

Witt of Butte which continued until his appointment to the bench of the supreme court. His services there ended with the admission of Montana to statehood. After his retirement from the bench he practiced law at Helena for about ten years, when he removed to California where he now resides.

Judge Stephen DeWolfe served on the territorial supreme bench for nearly two years, being one of the judges serving at the time the court went out of existence. He was born March 18, 1853, in Hawkins county, Tennessee, and was graduated from the Lebanon school of law of Cumberland University in 1857. In 1859 he settled at Salt Lake City, and was for a time editor of *The Valley Tan*, an aggressive paper opposed to the Mormon church. While in Utah he served one term as United States attorney, and afterwards practiced law in that territory until 1879, when he located at Butte, at which place he practiced his profession until he was appointed as a justice of the supreme court of the territory in January, 1888. He served in both the house of representatives and the council of the territorial legislature. He was city attorney of Butte for a term of two years, from 1896 to 1898. After his retirement from this office he removed to Denver, at which place he died October 27, 1901.

William H. DeWitt was one of the first three judges of the state supreme court, having served from November 8, 1889, to January 4, 1897. He was born March 16, 1853, in the state of New York, and graduated from Hamilton College in 1875, and from the law school of Columbia University in 1878. He resided in Montana from 1879 to the time of his death, which occurred at Butte, January 18, 1902. He served one term as United States attorney for the district of Montana during the territorial days, and in 1886 was elected county attorney of Silver Bow county and re-elected to that office in 1888.

All of the justices of the state supreme court are living except Horace R. Buck, William H. DeWitt and George R. Milburn. Of the three chief justices, Judge Blake is living

in Massachusetts pursuing literary work, Judge Pemberton is living in Helena, and Judge Brantley is now serving his third term as chief justice. Of the associate justices who are now living, Judge Harwood is now practicing his profession at Butte, Judge William H. Hunt is one of the circuit judges of the United States for the ninth circuit, Judge William T. Pigott is practicing law at Helena, Judge Robert L. Word is also practicing at Helena, Judge Henry C. Smith has resumed the practice of law at Helena, Judge William L. Holloway is serving his second term, and Judge Sidney Sanner is serving his first term.

Judge Horace R. Buck was born September 17, 1853, in Yazoo county, Mississippi. He was graduated from Yale University in 1876, and afterwards studied law in the St. Louis law school. In 1879 he commenced the practice of law at Fort Benton with his friend William H. Hunt, both of whom afterwards served on the bench of the supreme court of Montana at the same time. He served one term as a member of the territorial council, the upper branch of the legislative assembly. In 1887 he removed to Helena where he practiced law until his appointment as district judge in 1891 to fill a vacancy caused by the creation of an additional judgeship. The next year he was elected to the same office for the full term of four years. In 1896 he was elected associate justice of the supreme court of the state and served in that office until the time of his death which occurred at Helena December 6, 1897.

Judge George R. Milburn, who served with distinction for a full term of six years as associate justice of the supreme court of the state, was born in the District of Columbia in 1850. He graduated from Yale College in the class of 1872. In 1877 he passed the civil service examination, ranking third in a class of one hundred and thirty-nine applicants, and was appointed examiner of pensions at Washington. Afterwards he went to New Mexico as clerk of the Pueblo Indian agency. His law studies were pursued at the National University of Washington, D. C., from which



institution he graduated at the time President Hayes was ex-officio chancellor of that university. For a short time he practiced law in New Mexico, but settled in Montana in February, 1883. In January, 1886, he opened a law office in Miles City, where he followed his profession until elected district judge in 1889. He was re-elected in 1892, and elected associate justice of the supreme court at the election in November, 1900. His death occurred at Miles City, about 1911.

Montana has been fortunate in the judges of her supreme court, both territorial and state, as their services will show. The knowledge I have acquired of them, from personal contact and from a study of the record of their services, warrants me in saying that they rank with the judges of the best courts of America. From the organization of the territory to the present time (1913) twenty-nine men have occupied seats on the supreme bench of the territory and state, besides Giddings, who was appointed and confirmed but never served, and Charles R. Pollard, who was appointed but never confirmed. It would be remarkable, indeed, if among twenty-nine men fault could not be found with one or two. I can safely say that with few exceptions the judges of Montana have measured up to that standard of ethics which a judge should possess, so tersely and so well defined by Judge Story. Judge William H. Hunt, who sat upon the bench of the supreme court of the state for five and a half years, is a man peculiarly fitted for the judicial office, possessing, as he does, a judicial mind of rare quality. At one time he filled the office of prosecuting attorney in one of the districts and afterwards was attorney general of the territory. He was the first judge of the first judicial district of the state, and afterwards associate justice of the supreme court. He resigned June 4, 1900, to accept the office of governor of Porto Rico, to which office he was appointed by President McKinley. He continued to discharge the duties of this office with great discretion and ability until his appointment by President Roosevelt as district judge of the United

States court for the district of Montana, to succeed Judge Hiram Knowles. At this time he is one of the circuit judges of the ninth circuit, assigned for the present to the United States Commerce Court. Many of his written opinions are legal classics. Chief Justice Brantley, who is now serving his third term as chief justice of the state supreme court, could, with credit to himself, and satisfaction to the people at large, fill any judicial office under the government of the United States. In the consideration and decision of cases he knows neither rich nor poor, great nor humble. In his character as judge he is blind to all considerations except the facts and the law. From many years' acquaintance with Judge Holloway I can truthfully say the same of him, and also of Judge Henry C. Smith, who retired from the bench of the supreme court in January, 1913. From the beginning of English and American jurisprudence no judge ever sat in a court who possessed greater integrity than former-Judge William T. Pigott, and few who equalled him in ability. No judge in Montana possesses the confidence of the people more than Judge Sidney Sanner, who entered a few months ago upon his duties as one of the judges of our supreme court.

There have been four judges of the district court of the United States, for the district of Montana, since the territory of Montana became a state. In order they were: Hiram Knowles, William H. Hunt, Carl Rasch and George M. Bourquin, the last of whom is the present incumbent. Judge Knowles was appointed judge of the United States district court, for the district of Montana, February 21, 1890. He had previously served about eleven years on the territorial supreme court bench. His services as judge of the federal court continued about fifteen years, when he voluntarily retired because of his advanced age. Altogether his judicial services, on the territorial bench and the federal bench, covered about twenty-six years. During this time Judge Knowles delivered some memorable opinions in mining

law, and some of his decisions have become leading ones. Hiram Knowles was born January 18, 1834, at Hamden, Maine. He was educated at Antioch College, Ohio, and afterwards graduated from the law department of Harvard University. Judge Knowles came to Montana, from Iowa, in 1866, immediately after his appointment to the territorial supreme bench. He had previously crossed the plains to California and Nevada. In the latter state he practiced law for about three years, then removed to Idaho, where he remained about one year. This was before his coming to Montana. He lived in Montana continuously after his arrival in 1866. After his retirement from the territorial supreme court bench he practiced law eleven years. The judicial services of Judge Knowles covered a longer period than that of any other man in the territory, or state, of Montana, and none of the judges of Montana commanded greater respect of the people. Upon the retirement of Judge Knowles from the federal district court bench, in 1904, he was succeeded by William H. Hunt, whose judicial services have been noticed in another part of this chapter. In 1910 Judge Hunt was succeeded in the office of judge of the United States district court by Carl Rasch, whose resignation of the office took effect on October 15, 1911. Judge Rasch resigned because he preferred the practice of law. After his retirement he formed a partnership with M. S. Gunn, at Helena, where he is now engaged in the practice of his profession. Judge George M. Bourquin was appointed United States judge for Montana in March, 1912, and is the present incumbent of that office. Judge Bourquin had previously served a term of four years as judge of the district court of the second judicial district of the state of Montana. Judge Bourquin possesses, in a very high degree, every qualification for the judicial office.

When I was requested by Mrs. Helen Fitzgerald Sanders to write this chapter a limit was placed upon its length, which I have now

nearly reached. For this reason I can write of but few of the many lawyers, other than the judges, whose services to the people of Montana justly merit their lasting gratitude: and of these few but briefly. There are a few, however, some mention of whom cannot be omitted from this paper. These are Frank H. Woody, Wilbur F. Sanders, Edwin Warren Toole, William W. Dixon, George W. Stapleton, Samuel Word and Robert B. Smith. The late Chief Justice Wade regarded Warren Toole, Wilbur F. Sanders, and W. W. Dixon as the three foremost lawyers of the Northwest during the period of their activities. In the main body of this history Mrs. Sanders has faithfully recorded the services of these great lawyers, but my high admiration for them forbids me to close this chapter without some brief estimate of their characters.

Of all the lawyers who now reside, or ever have resided, in Montana Frank H. Woody, of Missoula, was here first. He arrived in Montana in October, 1856, and has ever since resided in Missoula county. So far as I can ascertain there is no man now residing in Montana whose coming to the territory now within the limits of the state antedates that of Judge Woody. When he arrived in Missoula county that county was a part of the territory of Washington, afterwards it was a part of the territory of Idaho. So that during his residence here he has been a citizen of three territories and one state. Judge Woody was born in Chatham county, North Carolina, December 10, 1833. In 1855 he removed to Kansas; but, not being satisfied with that country, and still eager to see more of the great West, he joined an overland train bound for Great Salt Lake. After much suffering he finally arrived there August 15th, 1855. The following year he joined a party of traders bound for the Flathead country, now Missoula and Ravalli counties, to trade with the Indians, and arrived on the Hell Gate river in October of 1856, near where now stands the beautiful city of Missoula. Until 1866 he was engaged in freighting, mining

and merchandising, and in February of the last named year was, by the board of county commissioners of Missoula county, appointed county clerk and recorder. At the next election he was elected to succeed himself in that office, and held it continuously by re-election until the fall of 1880, when he declined to again become a candidate. For a time prior to 1880 he was also probate judge of that county. Also during eight years of this time he was deputy clerk of the second judicial district for Missoula county. While in this office he studied law, and having completed his studies, was, in January, 1877, admitted to the bar by the supreme court of Montana territory. In 1876 he wrote a history of Missoula county that furnishes us with the only reliable information of what occurred in that county during the first few years of its existence. In 1892 he was elected district judge, and served many years in that office.

How can I compress into a few sentences, or a few paragraphs, any just estimate of the services of Wilbur F. Sanders! When the hero of Virgil's Aeneid arrived in his wanderings at the ancient city of Carthage he was entertained by Queen Dido. There were painted upon the walls of Dido's palace scenes of the Trojan war, and the beautiful queen pointed out and explained to him these pictures, which he looked upon with great interest. At last he exclaimed about the scenes depicted in these pictures, "All of this I have seen, and a part of it I have been." Had Colonel Sanders been taken into some great art gallery where all the historic events of Montana had been portrayed on canvas, he might, like Aeneas, have exclaimed, "All of this I have seen, and a part of it I have been." No man who has ever lived in Montana has had as much to do with her history. At the time of the burial of Colonel Sanders in 1905 I was engaged in the trial of a case in the district court of Cascade county at Great Falls, and was unable to attend his obsequies. During the

recess of the court at the noon hour on the day of his burial I hastily wrote an estimate of his character which was published the following morning in the Great Falls *Tribune*, and which I now here reproduce:

"Voices of eulogy from every quarter of Montana unite at this time in telling of the worth of Wilbur F. Sanders, who is now numbered with the dead. It is natural that the people in every part of our state, from all the walks of life, of every political faith and of every creed, unite, with one voice, in recounting the deeds of this sincere, courageous and manly man. He was Montana's greatest citizen. To him Montana is indebted more than to any other person, dead or living. Elegy has stifled encomium; panegyric has yielded to sorrow; grief has become the most fitting eulogy. To Montana he left a priceless legacy, his character. To emulate that character is the only way our people can hope to partially pay the debt we owe him.

"The greatest honor Montana can confer on him will but prove her bankruptcy. Independence and courage were his chief characteristics. No more courageous man ever lived. He fought for right with a courage that was the admiration of all who knew him. He was intense. He loved and lived and worked for the establishment and maintenance of truth, justice and liberty. In this age of greed, when wealth is by so many regarded as the synonym of worth, he never bent the knee before the power of money. He courted not the favor of capital, which has in the past few years acquired such an ascendancy as to overshadow the government itself. Others might bend their necks to the yoke and strive for political preferment at the cost of independence. His aims were loftier. In his early life he resolved that his ambitions should be satisfied without the sacrifice of his independence, without the loss of liberty of speech and action, without the sacrifice of manhood. Others might fall down with servility before wealth, but his faith remained uncorrupted. Others might surrender their independence and become the tools



of corruption, but he ever remained steadfast and true to truth, justice and liberty; he served but one master—the people—and his conscience and his courage guided him in that service. The blandishments of political office and of wealth were powerless to allure him. Corruption and injustice stood abashed and awed in the presence of his stern, unyielding integrity and virtue. Though he was poor in money and property, yet he possessed a treasure that all the wealth of the Golcondas could not purchase—he owned himself. He stood for independence, for courage, and for absolute integrity. The citizens of our state should honor the brave and independent man—the man of stainless integrity, of intellectual force. Such a man was Wilbur F. Sanders. Such men are the Atlases on whose shoulders rest the mighty fabric of our government. Flatterers, sycophants, cringers are dangerous and unworthy citizens. They, who gain political power, station and wealth, by pandering to the passions of the multitude are enemies of liberty and dangerous to our free institutions. Mediocrity, excited by ambition, flatters and serves the base, and calumniates the great. A patriot will do neither, and because he will not is often sacrificed.

“Colonel Sanders was a statesman, not a politician. The politician hastens to agree with the majority; he insists that the passion of the masses is patriotism; that their ignorance is wisdom. The statesman points out the mistakes of the multitude; he attacks the passions and prejudices of the people; he denounces bigotry, cruelty and injustice; he appeals to the intelligence of the people, invokes the use of their conscience and enlightens their minds. The man in our state who refuses to stoop, who cannot be bribed by the promise of success of office or of power, or the fear of failure; who stands erect through disaster and discouragement, is the only victor.

“I cannot imagine anything more despicable than to reach position, power or fame by crawling. In time kneelers at the shrines of fraud, flatterers, and the brazen idols once

worshiped will be the very food for scorn. Those who with fortitude bear defeat, who retain self-respect, who will not bow to men for place or wealth or power will receive the just praise of a grateful posterity.

“Wilbur F. Sanders was a man of superb courage. He always acted without fear. Yet he was always just. Truth, justice and liberty had no greater friend and champion. Bigotry, injustice, prejudice and falsehood, no greater nor more valiant foe. This imperial man came to Montana before any government of the territory had been established—at a time when men of pride, of intellect, of principle and of courage were needed to direct affairs and to establish order, law and justice. It was his intelligence, his sense of fairness and justice and his courage and the example he set, that did more than all else to bring order out of chaos, establish justice and make the early history of Montana a pleasant memory. Of all those brave pioneers who helped to carve out a state, and to establish order and justice he was the most conspicuous and the most forceful and potent.

“Colonel Sanders was a natural orator. He was armed with the sword of attack and the shield of defense. And what shall I say of his eloquence, to which for years popular assemblies and courts in Montana, entranced by his splendid imagery, and his convincing logic, have so often listened. The limits of this occasion will not permit a full description nor a full—and therefore not a just—estimate. Imagination never hurried him beyond the limits of good taste. His wonderful powers of reasoning were never employed in the furtherance of fraud or injustice. He was incisive. He painted pictures with words. He was a sculptor in speech. He possessed the presence, the pose and voice of the orator. His logic was as unerring as mathematics. His humor was rich as ‘Autumn, when the boughs and vines bend with the weight of ripened fruit.’ His wit was as sharp as glittering steel, and as quick as lightning. His ideas were not embalmed in rhetorical em-

bellishments, nor buried in the superfluous tinsel of metaphor and trope. He clothed his thoughts for the occasion, and if the occasion demanded they stood forth naked, in all their native majesty. He would not bend to passion, but would stoop to conquer reason.

"His tomb will be a place where Montanians, in the future, will repair to bring away memorials from the sanctuary of this great man. Whenever patriotism desponds it will go there, look and live. Fanaticism, bigotry and injustice will feel rebuked when they visit the last resting place of this courageous and just man. He was the Caesar of Montana. He fell, though, by a higher decree than the sword of Brutus. When he died he left a whole state of Antonys to mourn his loss."

By many of the lawyers and judges of Montana, Edwin Warren Toole was regarded as the most profound lawyer who has ever practiced in the courts of the territory or state. With his great legal attainments he possessed a high and delicate sense of honor and an integrity that would yield to nothing. Perhaps his chief characteristic was his kindness. It is enough to say of William Wirt Dixon that he was classed by Chief Justice Wade with Edwin Warren Toole and Wilbur F. Sanders as a lawyer. He was early in Montana, and always working for the betterment of the condition of society.

George W. Stapleton was the first lawyer I met after coming to Montana. From what the common friend who furnished me with a letter of introduction to Mr. Stapleton had told me of him I was prepared to find in him a man of sterling worth who had been one of the history makers of the territory, and such I found him to be. He was my friend until the day of his death. Few men have had more to do with the making of the history of Montana than Samuel Word, and but few of the men of Montana possessed his ability. During many years that Colonel Sanders was the leader of the Republican party Mr. Word was the leader of the Democratic

party. It seems that these two great men were ever, in court as well as in politics, opposed to one another. Samuel Word left all his descendants an untarnished record of splendid achievements.

I do not speak in this place of the late Governor Robert B. Smith because he was early in Montana, but because he was in many respects one of the best, as well as one of the greatest men I have ever known. For years I was on intimate terms with Governor Smith and much in his company, and grew to know him as few others did. Though his knowledge of the common law was profound he despised technicalities. He believed that all disputes should be settled upon the principles of equity. He had no patience with the technicalities that fettered the administration of justice. His sympathy was as broad as humanity; he was so gentle and so just that he could not give offense. The poor and the suffering were the special objects of his consideration. Withal he was so modest and so unassuming that few of his friends really appreciated his native nobility. It was necessary to be on terms of intimacy with him in order to know him thoroughly. His success at the bar was not of the grandiloquent order, but was, nevertheless, great. I have known no kinder man. I have seldom seen in another so much moderation with so much firmness.

The early lawyers and judges of Montana builded well. Our jurisprudence is founded upon a solid and enduring basis. The ennobling influence that the bar of Montana has exercised upon society will extend through all coming time. The lawyers and judges of Montana have, collectively, fixed a high standard of professional and judicial fitness. Perhaps no other state in the world is blessed with a higher degree of civilization than Montana, and the greatest credit for this is due to the learning, courage and stern integrity of her lawyers, past and present.

## CHAPTER XXVIII

### MONTANA IN THE SPANISH-AMERICAN WAR AND IN THE INSURRECTION IN THE PHILIPPINE ISLANDS

It is not within the scope of a history of Montana to dwell at length upon the causes that led to the declaration of war by the United States of America against the Kingdom of Spain. So grievous had the atrocities perpetrated by the Spanish General Weyler upon the Cuban reconcentrados become, that a universal and pronounced public sentiment had arisen throughout our country demanding that an end be put to the barbarous practices of the Spanish forces in Cuba. The great political parties declared against further endurance of these enormities. William McKinley was elected president of the United States upon a platform that demanded that this country take action to ameliorate conditions that had grown intolerable. Commissioners visited the island and brought home harrowing tales of the fiendish cruelties inflicted by the Spanish army upon the starving, defenseless Cubans. Senator Proctor, who was secretary of war under the administration of President Harrison, delivered an address in the senate of the United States that, throughout the length and breadth of the land, aroused bitter feeling and insistent demand that congress no longer delay. In such a frame of mind it required little to set the country aflame and the occurrence was not wanting that at last was to precipitate war.

On the night of February 15, 1898, while peacefully at anchor in Havana harbor, the United States battleship Maine was blown up by an explosion and two officers and 264 of her crew were killed or drowned. In the public mind it needed no further proof that this was a slaughter deliberately planned and diabolically brought about by the government

of Spain, and in spite of the pacificatory attitude of Congress and of the president himself, for a short period displayed, the people of the United States at last compelled a declaration of war against that nation.

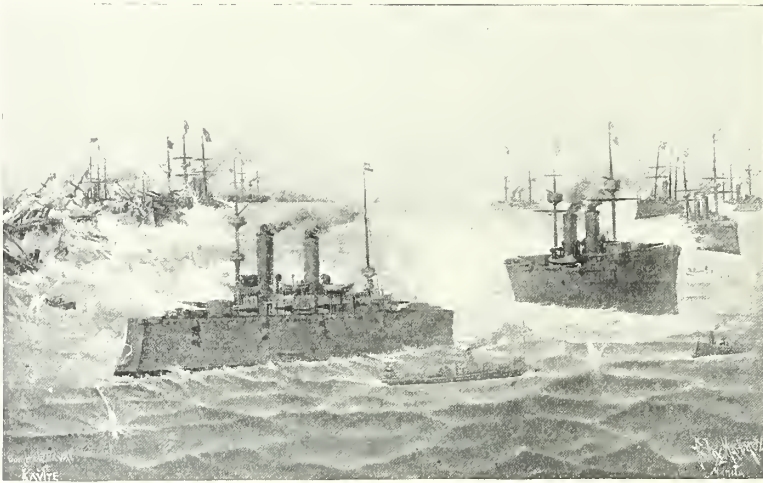
On April 13, 1898, the house of representatives passed a resolution directing the president to intervene in Cuban affairs forthwith. The senate passed a substitute for the house resolution and the senate substitute was at once adopted by the house. The measure as finally passed demanded that the government of Spain relinquish its authority and government in the island of Cuba, withdraw its land and naval forces from Cuba and Cuban waters, and directed the president of the United States to carry the resolution of congress into effect. It declared the people of the island of Cuba to be free and independent, but disclaimed any disposition or intention on the part of the United States to exercise sovereignty, jurisdiction or control over the island, except for the pacification thereof, asserting it to be the determination of this country to leave the government and control of Cuba to its own people, when the purpose of the war had been accomplished.

On April 20th, the United States government presented its ultimatum to Spain demanding that before noon on April 23rd, it relinquish authority and government in the island of Cuba and withdraw both land and naval forces from Cuba and Cuban waters. Spain protested and declined to comply with these demands and immediately the fleet comprising the North Atlantic Squadron was ordered to blockade Havana and other cities in Cuba.



On April 23rd, the president issued a proclamation calling for 125,000 men for service in the military and naval forces of the United States, and on the 25th congress made a formal declaration of war. On the same day a bill was enacted increasing the regular army. By the 16th of May 70,000 volunteers had been mustered in, the enlistment of men reaching enormous proportions, governors of many of the states tendering quotas largely in excess of the allotments made by the act of congress to the several states. On May 25th

On April 24, 1898, the secretary of the navy of the United States sent a cablegram to the commander of the Pacific Squadron then lying in the harbor of Hong Kong, China, notifying him of the existence of a state of war between the United States and Spain. Commodore Dewey was ordered to proceed at once to the Philippine Islands, and to capture or destroy the Spanish fleet at anchor in Manila Bay. Proceeding immediately in command of a fleet consisting of the Olympia (flag ship), Baltimore, Raleigh, Concord, Petrel and Boston,



PHOTOGRAPH OF OIL PAINTING DEPICTING DESTRUCTION OF SPANISH FLEET ON MAY 1ST, 1898, AS SEEN BY SPANISH ARTIST.

the president issued another call for 75,000 additional volunteers, and this brought the total strength of regulars and volunteers to 278,500 men.

Neither the Philippine Islands nor conditions there were in any way a contributing cause to the declaration of war by the United States against Spain; and it is scarcely an exaggeration to say that before the first day of May 1898, comparatively few Americans were aware of the fact that these islands belonged to Spain. Indeed, few knew where the Philippines were situated and the name of Dewey was, save to veterans of the Civil war, unknown.

the dispatch boat McCulloch and the transports Nanshan and Zafiro, Commodore Dewey entered Manila Bay under cover of darkness on the night of April 30th and with the dawn of May 1st attacked the Spanish fleet off Cavite, destroying the Reina Christina, flagship of Admiral Montojo; the Castilla, the Don Antonio de Ulloa; the Don Juan de Austria; the Isla de Cuba; the Isla de Luzon; the Gen. Lezo; the Marquis del Duero; the Elcano; the Velasco; the Isla de Mindanao and the Argos; and capturing the transport Manila and the gunboat Callao. The casualties on the American fleet consisted of four slightly wounded on board the Baltimore. The

estimated loss of the Spaniards was between 900 and 1,200 killed and wounded.

With the total annihilation of the Spanish fleet the aspect of the war was suddenly changed. Military operations were not alone to be conducted in Cuba and its adjacent waters, but the occupation of Manila Bay was a military necessity. Troops for hostilities to be waged in Cuba were to be raised and an army for service in the far East was an essential factor in the war that was to be fought with Spain. The American squadron in the East was 7,000 miles from a base of supplies and not one of all of the neighboring ports was now, with war actually existing, open to our battle fleet except for such temporary refuge as is given a belligerent by the rules of international law. Dewey had almost exhausted his ammunition during the engagement of May 1st and he was without adequate necessary supplies. It was clear that for these reasons he had no place to go, no alternative open but to hold the bay, the docks and naval shops at Cavite which had fallen into his hands, and until instructions, reinforcements and supplies should arrive, to maintain his position of supremacy and to blockade the port of Manila. Rumor was rife that a Spanish fleet under Admiral Camara was to sail from Spain to the Pacific and should this antagonist attack the American fleet, without the city of Manila securely under the control of American forces, all the advantages gained by the victory of the first of May might be lost. The Philippines had suddenly fallen into our hands. What the ultimate disposition of these islands was to be, nobody had formed any idea. The conditions pointed to the necessity not only of holding possession of the bay but of taking possession of the city of Manila. This decision was made and carried out as quickly as possible and troops were despatched to the Philippines in numbers sufficient to capture and hold the city and thus be prepared to enforce whatever policy might ultimately be adopted.

Such, briefly were some of the reasons for

hurrying troops across the Pacific for service in the far East and Montana was one of the few western states that not only furnished volunteers for service in Cuba but also for duty in the Philippines.

When the president issued his proclamation on April 23rd calling for 125,000 volunteers, the number allotted to Montana was approximately 500 men. Influence brought to bear on the War Department resulted not only in the enrollment of the cavalry that was transported to Chickamauga, Georgia, for prospective service in Cuba, and amounting to 346 officers and men, but also in the acceptance of the old regiment of infantry belonging to the National Guard of Montana, recruited to war strength of fifty officers and 1,019 enlisted men.

Under an act of congress approved April 22, 1898, providing for the temporary increase of the military establishment of the United States, the organization of three regiments of cavalry was authorized to be composed exclusively of frontiersmen possessing special qualifications as horsemen and marksmen and to be designated the First, Second and Third regiments of the United States Volunteer Cavalry. Leonard Wood, now a major general in the United States army was designated to organize and command the First regiment; Judge Torrey of Cheyenne, Wyoming, was designated to organize and command the Second regiment and the Third regiment was by order of the secretary of war, organized and placed under the command of Melvin Grigsby, of Sioux Falls, South Dakota, then attorney general of that state.

The first squadron of the regiment composed of troops A, C, D, and K, was called "The Black Hills Squadron" being made up of men from the vicinity of the Black Hills in South Dakota. The second squadron composed of troops B, E, G, and H, was designated as "The Inter-Dakota Squadron" and its membership was drawn as the name indicated, from the two Dakotas. The third squadron and the one peculiarly of interest to a history of this state, was known as "The Montana

Squadron," for to it were assigned troops F, L, M, and I, all enrolled in this state. Because of the method adopted by the war department of allotting to the several states a given number of enlistments for service in the war, it was impossible for the entire regiment to be enrolled from the citizens of South Dakota. Moreover, other neighboring states

Volunteer Cavalry and one regiment of infantry, known as the First Montana Infantry, U. S. V.

In Billings at the outbreak of the war was a cavalry troop under command of Captain John C. Bond. It was an easy task to recruit it to a full war strength from the master horsemen and expert shots of eastern Montana, and



HARRY C. KESSLER, COLONEL FIRST MONTANA INFANTRY, U. S. V., AND BREVET  
BRIGADIER GENERAL, U. S. V.

were bringing all possible influence to bear upon the military authorities in Washington, to the end that they have representation in the cavalry regiment being organized by Colonel Grigsby. Montana had staunch supporters who possessed hypnotic influence over the war department, for almost three times the original quota of soldiers allotted to the state were finally mustered into the service of the United States and left for the front. They constituted one squadron of the Third United States

this became Troop M in the Montana Squadron.

Miles City also possessed a similar organization. It needed only the stimulus of war to fill its ranks with ideal cavalymen. It had been under the command of Joseph T. Brown who was commissioned Captain and it was designated as Troop I.

In Missoula, as early as March 30th and long before war was declared, Mr. Will Cave had circulated a petition among the citizens



of that city who tendered their services to Governor Smith in the event of hostilities. Frank G. Higgins, a former mayor of Missoula, was commissioned Captain of this organization which was mustered in as Troop F.

Besides three companies of infantry, Butte furnished the fourth troop of cavalry that made up the Montana Squadron of the Third United States Volunteer Cavalry. Troop L was organized by D. Gay Stivers, George Wedekind and Frank Haskins, and they were commissioned Captain, First Lieutenant and Second Lieutenant, respectively.

James H. Monteith, who had been mustered in as Sergeant Major of the First Montana Infantry, U. S. V. was discharged from that organization to accept a commission in and he was commissioned as Major of the Third Squadron.

The Third United States Volunteer Cavalry had for its lieutenant-colonel, Charles F. Lloyd a citizen of Butte. He had tendered his services to the governor of Montana at the outbreak of hostilities with Spain, but he had not been assigned to duty, although he was peculiarly fitted for military service having graduated in 1874 from the United States Military Academy at West Point, New York, and thereafter having served as a commissioned officer in the United States Army until 1883 when he resigned to engage in commercial pursuits in Butte, Montana. His merits were finally recognized and he was tendered and accepted a commission as lieutenant-colonel of the Third United States Volunteer Cavalry. On May 14, 1898, he was mustered into service, reporting at once to Colonel Grigsby at Camp Thomas for duty. On June 1st he succeeded Colonel Grigsby in command of the regiment, the latter having been promoted to the command of the First Cavalry Brigade, and until mustered out, Colonel Lloyd commanded the regiment. He was mustered out of the service of the United States on September 8, 1898, returning to his home in Montana.

The troops of the Third Squadron were mustered into the service of the United States as follows:

Troop F, May 13th; Troop I, May 19th; Troop L, May 15th; and Troop M, May 17th. Troop F left Missoula, Montana, on May 26th and arrived at Camp Thomas, Chickamauga Park, Georgia, May 30, 1898. Troop I left Fort Keogh, Montana, on May 24th and reached camp May 28th. Troop L left Butte, Montana, on May 26th arriving at Camp Thomas on May 30th and Troop M left Billings, Montana, on May 24th and reached camp on the 28th. By May 30th the entire regiment had reached Camp Thomas and on June 1st, together with the First Illinois Volunteer Cavalry, the First Ohio Volunteer Cavalry and a Squadron of Kentucky Cavalry became the First Cavalry Brigade of the First Army Corps. As was the case with almost all of the volunteer organizations, the utter lack of preparedness of the United States for war at once became clearly apparent. The government had called for thousands of volunteers and to the call tens of thousands of patriotic citizens had eagerly responded, but now that they were present for duty, the United States, confronting a war which it had itself declared, was unable to supply its soldiery with many of the necessities of warfare. It was not until the end of June that uniforms were procured and then the requisitions for clothes were not wholly filled. By this time many of the men were barefooted, or nearly so, and their clothes in tatters. The full requisition was not honored until August. Ordnance and ordnance stores fully to equip the regiment were not secured until about the middle of July, and quartermaster supplies were not furnished promptly as they should have been. It appeared that in almost every instance the individual whose duty it was to make proper requisition for and procure military supplies, conscientiously endeavored to perform it. The fault lay in the fact that the United States had declared war with a superabundance of men, mostly without necessary experience, and a dearth of equipment readily accessible to place at their disposal. During June horses for the regiment began to arrive, but until the ordnance stores were furnished there were only a

few bridles in camp and they were private property. Saddles were issued on June 27th together with halters, nose bags, saddle blankets, and bridles. Carbines were issued June 28th, and for the first time systematic instruction in the manual of arms begun. On June 30th the regiment went out for its first mounted drill, under immediate command of

camp life. It enjoyed the favor and confidence of the Corps Commander, General Brooke, who desired that it accompany him upon the Puerto Rican campaign. Disappointed that it was not assigned to this expedition, discontent among the soldiers naturally broke out and in this frame of mind, the effects of prolonged rainy weather soon



ROBERT BRUCE WALLACE, FIRST MONTANA INFANTRY, U. S. V.

Colonel Lloyd, and so thoroughly efficient in horsemanship and use of firearms were the rank and file, that as early as July 9th "Grigsby Rough Riders" were recognized as one of the best drilled, most proficient regiments at Camp Thomas, where there were then encamped over 58,000 troops. Sustained by the hope that sooner or later the regiment would be called upon for service in Cuba, the organization daily improved in discipline and the members contentedly and patiently performed the manifold tiresome duties pertaining to

became apparent. The health of the regiment now suddenly became affected and typhoid fever became epidemic. Orders were issued to move camp and on July 30th the Third Regiment of the Volunteer Cavalry was moved to higher ground. Although conditions improved as a result of the change, the ranks were depleted by sickness and many enlisted men were sent north on sick furlough. On August 10th the last hopes of active service vanished with the cessation of hostilities between Spain and the United States, and on

August 28th, the regiment was served with official notice that it would be mustered out of service on September 8th, 1898. On September 5th, Colonel Grigsby issued the following farewell to the regiment:

General Orders No. 63,  
Headquarters Third U. S. Vol. Cav.,  
Camp George H. Thomas,  
Chickamauga Park, Ga., Sept. 5, 1898.

The time being close at hand when this organization will cease to exist as a military body, I take this opportunity to thank the officers and men of this regiment for their patriotism, fidelity, zeal and attention to duty. The regiment is one that it has been an honor to command and of which any commander could be justly proud.

Although it is a great disappointment to all of us that we were not permitted to form part of the line of battle at the front, it cannot be said of the "Cowboy Regiment"—either officers or men—that they did not do everything possible, not only to get ready at the earliest possible moment for active service, but also to induce those in authority to select this regiment as a part of the army of invasion.

It has been well and justly said by President McKinley that these soldiers who tendered their lives to the country and performed uncomplainingly their duties in camps of instruction, under conditions most unfavorable to health and comfort—most of them subjected to dangers from diseases that are liable to affect men who leave their Northern homes for a Southern climate in midsummer and who did not get a chance to get to the front—are deserving of as much credit as those who were chosen to go against the enemy.

And I wish to add in this connection that it had been a matter of infinite pride and satisfaction to your commander to hear from all sides favorable and complimentary comments upon your soldierly appearance, your proficiency in drill and perfect gentility and soldierly courtesy that has characterized your relations with the camp at large and the citizens

of Chattanooga and vicinity. You have so well maintained your characters as gentlemen that it is everywhere remarked that the "Cowboy Cavalry" was one of the most orderly and gentlemanly organizations that has been in Camp Thomas. This reputation carries with it a responsibility, and that responsibility is to see that we live up to our reputation and leave Chattanooga and go to our homes quietly, satisfied that we have done our whole duty, and have left an example of the true type of the American citizensoldier.

Do not imagine that the time spent in this camp has been wasted for yourselves or that your country has not received full value for all expenses incurred. You have but to consult the records of the nation to discover that a knowledge of the duties of a soldier fits men to better perform the functions of civil life. The present President of the United States was a private soldier in 1861. It is not unreasonable to predict that members of this "Cowboy Regiment" will hereafter be found in the legislative halls, in congress, and in armies that will hereafter be called into service. In any and all of these positions, as well as in the humbler stations, the knowledge and discipline that you have acquired will be invaluable to many of you as well as to your country.

Whatever may be your future condition of life, whether of low or high degree, you will all be ever gratefully remembered by your late commander, whose latch string will always hang out for every man—officer or private—of the "Cowboy Cavalry."

MELVIN GRIGSBY,  
*Colonel Commanding Third U. S. Volunteer Cavalry.*

On Thursday, September 8th, Troop L was paid and mustered out of the service of the United States and its captain was the first member to sever his official connection with the regiment. By September 11, 1898, the Third United States Volunteer Cavalry, popularly known as the "Grigsby's Rough Riders" had passed into history. The fortunes of war



decided that it should not leave its native land to uphold the honor of the flag upon the battle field. In this respect those who enlisted in the First Montana Infantry were more fortunate, but the state impartially inscribes upon the roll of honor the names of all its sons who enlisted as American Volunteers, indifferent to the fact that some were called and others left behind.

Under the act passed by Congress to provide for the increase of the army for the Spanish-American War, General A. W. Greely, Chief Signal Officer of the United States Army was empowered to form a Volunteer Signal Corps

alry and Infantry organizations from this state, applications to join Montana's contribution to the signal service were far in excess of the number allowed the state. Except two men chosen as company cooks, those selected were expert telegraphers or electricians, and without exception, well educated and intelligent men, in every way fully equipped for the duties they were to perform. Within forty-eight hours from the time it was announced in the newspapers published throughout the state, that Montana was to furnish Signal Corps men the detachment was mustered in and ready for service.



SECOND BRIGADE, NEAR BIGAA, MARCH 29, 1899, IN ADVANCE ON MALOLOS.

which was promptly mustered into service with a membership of about one thousand officers and men. Enlistments were apportioned to the several states and Montana's quota was two officers and fifteen enlisted men. William E. Davies, an expert telegrapher of Butte and George H. Tilly, connected with the Western Union Telegraph Company's office at Helena were commissioned lieutenants. Lieutenant Davies was ordered to Fort Leavenworth, Kansas for duty which took him to Cuba and eventually to the Philippine Islands. Lieutenant Tilly was ordered to act as mustering officer at Fort William Henry Harrison at Helena. As was the case with the Volunteer Cav-

Under the command of Lieutenant Tilly it left Helena July 12, 1898, for San Francisco, and was assigned to the Eighteenth Company, Volunteer Signal Corps, which embarked on the U. S. T. S., Rio de Janeiro, July 24th and reached Manila, August 24th in company with the First Montana Infantry.

The Eighteenth Company, Signal Corps, U. S. V., was at once ordered into the field. From this time until September 7, 1899, when the detachment was ordered home to the United States, the officers and men were constantly engaged in a service fought with danger to health and life as they covered the region contiguous to Manila with a net work of

telegraph lines for use in the event of hostilities. Working in heavy rains, through dense jungles, over flooded rice paddies, and in swamps with the water at times reaching to their armpits, they served both by day and by night as the eyes of the army, enabling every remote outpost to communicate instantly with headquarters at Manila. If the situation prevented the use of the telegraph instrument, the Signal Corps men were ever ready with heliograph by day, or rocket or torch by night to keep the commanding officers in perfect communication with the innumerable detachments of the Eight Army Corps that were stationed within and without the city of Manila. And as the American forces extended their field of operations, with the outbreak of hostilities on February 4, 1898, and later, when some of the southern islands were occupied, the Signal Corps opened and maintained communication between Manila and every distant camp or garrison established by the American Army. In many instances telegraph lines were constructed by small detachments of the Signal Corps within and through the enemy's country, without protection other than that which the men themselves could provide, and many linemen were ambushed and killed by overwhelming forces of the insurgents.

Over 1,500 miles of wire were laid in the wake of our advancing troops, thus keeping the American firing line in direct communication with Corps Headquarters in Manila. When time permitted, the light copper wire used during marches and fighting was replaced by iron wire on temporary poles, which was, in turn, eventually replaced by a heavy wire well strung on substantial poles for permanent use.

The Montana detachment assisted in building a complete police telegraph system throughout the city of Manila, equipped with American instruments. This proved of incalculable value to the Provost Guard when outbreaks later occurred within the city and the insurgents sought to destroy Manila by fire and exterminate the United States forces. Sergeant E. R. Fisher and Corporal F. T. Brooks by

reason of their knowledge of electricity were especially valuable in this work. Prior to the commencement of hostilities on February 4, 1898, there had been constructed twenty-nine stations at outposts along the entire front of the American lines, and with the first shots fired by an American sentry at Santa Mesa bridge which opened the battle between the forces of Aguinaldo and the United States, the entire army was instantly advised of all the details of the attack. Shortly after the wires were cut by insurgents within the city and the entire telegraphic system was put out of commission. It only momentarily impaired the means of communication, for each telegrapher on outpost duty, by means of rockets of different colors, kept his superior officers fully advised of events. During the defense of Manila Sergeant A. M. Maxeiner was in command of the Signal Corps detachment at an outpost of Montana Volunteers located near a cemetery north of the city. It was he who promptly called upon Capt. Hallahan of Company M. for help and this company immediately advanced through the night to the support of the outpost. Under fire the Signal Corps detachment under command of Sergeant Maxeiner disconnected their instruments and fell back to the protecting walls of the cemetery. An effort to communicate by telegraph with headquarters failed because the insurgents had cut the wires leading to the city, but communication was maintained by means of rockets. As a result of this prompt and efficient service re-enforcements were at once despatched and the American position maintained throughout the night. This detachment was on duty for seventy-two consecutive hours, being relieved only when headquarters of the Second Division, General Arthur McArthur commanding, was established at La Loma church. This building was a lofty edifice surmounted by a dome, exposed to the fire of the insurgent forces. It became necessary to communicate with Admiral Dewey, who was assisting in the operations by means of warships which shelled the Filipino intrenchments. This detachment established a

signal station on top of the dome, and while signalling to the fleet was a target for the insurgent forces, strongly intrenched in front of the American lines.

During the battle of Caloocan, on February 10, 1899, the same Signal Corps men from the dome of this church signalled Admiral Dewey to commence shelling the insurgents' position and remained exposed to fire until the infantry was ready to advance, when the navy was signalled to desist. As a result of this service Sergeant Maxeiner and those under his command were mentioned in official reports among those who had performed distinguished service.

The Montana detachment of Signal Corps men was fortunate, for it sustained no serious casualties except the death of Capt. George H. Tilly, who was killed on the 27th day of May, 1899, he in the meantime having been promoted. He had been ordered to Ilo Ilo, on the island of Panay, for signal service, and while at Escalante, on the east coast of Negros Island, he was killed by natives under peculiarly distressing circumstances. A cable ship engaged in laying cable between Ilo Ilo and Cebu dropped into the harbor of Escalante to remove some old cable connections, Captain Tilly, with the captain of the vessel visited the town, the natives making apparently friendly demonstrations. While there the party was ambushed and fired upon. The captain of the cable ship and one man reached a launch, but Captain Tilly was unable to escape with them and rushed into the water. The occupants of the launch immediately put it under way and laid down in the bottom to avoid the storm of bullets that were falling fast around it from a force of some two hundred armed insurgents who had come out from hiding, and attacked the entire party. The officer in charge of the launch discovered some one trying to climb into the boat and it proved to be one of the ship's crew who reported that Captain Tilly was unable to swim and the survivor lost track of him. Captain Tilly did not appear and the ship after delaying for some time sailed for Ilo Ilo. Re-enforce-

ments under General Smith returned to Ilo Ilo with all dispatch. The mutilated body of Captain Tilly was found floating in the mouth of the river near the cable station and brought to Ilo Ilo where it was buried with military honors. Later his body was returned to the United States and finally interred in Brooklyn, New York.

After arduous services efficiently and bravely performed the detachment was ordered to the United States and reached San Francisco about the time that the Montana Regiment of Infantry arrived at the same place to be mustered out of service of the United States.

The First Regiment of Infantry, National Guard of Montana, had been organized in 1887, and at the outbreak of the war had a membership of about 500 officers and enlisted men. This formed the nucleus of the First Montana Infantry, United States Volunteers, and the recruits that were enrolled to bring it to a war standard were quickly drawn from city, farm and mine, largely without previous military training, but physically and mentally well equipped to develop speedily into excellent soldiers, and all imbued with patriotic enthusiasm that spurred them on to overcome the deficiencies due to lack of military training and experience. The regiment was fortunate in the number of officers who had seen practical warfare. It numbered among its ranks graduates of military schools and former enlisted men of the regular army who had seen service on the frontier against the Indians. Bestowing upon them full meed of praise for their indefatigable efforts in bringing the organization to a high standard of discipline and efficiency, Montana must ever gratefully acknowledge its profound appreciation of the splendid military genius of Robert Bruce Wallace without which the regiment could scarcely have earned the reputation it so well deserves for its signally brilliant services in the Philippines.

Enrollment commenced on April 28th, three days after war had formally been proclaimed. There was an abundance of excellent material



out of which to recruit the old National Guard Regiment. It was, in fact, a matter of embarrassment and perplexity to the governor and recruiting officers to adjudicate the rival claims of those who tendered their services and insisted that they be numbered among the fortunate ones who were to compose the regiment. On the same date, Colonel Harry C. Kessler, issued orders commanding the various companies to report for duty at their several armories throughout the state. Thence they were ordered to report to regimental headquarters that were established at Helena, the capital of the state. As early as May 4th, the companies began to arrive. Company D of Virginia City, was the first, and was mustered in on May 6th. Company L enrolled in Helena, and for the first time in existence, was mustered in on May 5th. Companies B, F, and G, from Butte, arrived in camp on the 5th, Company B being mustered in on the 6th, and Companies F, and G, on May 7th. Company E, from Dillon arrived on the 6th and was mustered in on the 8th. Company K, from Anaconda, arrived at headquarters on the 6th, and was mustered into service on the 8th, Company M, a newly organized company from Anaconda, also arrived on the 6th, being mustered in on the same date with Company K. Company A, from Great Falls, reached camp on the 7th, and was mustered in on the 8th. Company C, composed principally of a disbanded troop of cavalry from Bozeman and of the Helena Light Battery, arrived on the 7th, and was mustered in on the 9th. Company H from Kalispell, reached headquarters on the 7th, and was mustered in on the 9th. Company I from Lewistown also marched into camp on May 7th, being mustered in on May 9th. This completed the muster of the entire regiment, the duty having been attended to by Lieut. George P. Ahern, of the Regular Army, who, at the outbreak of the war was on detailed duty as military instructor at the Montana Agricultural College at Bozeman. On May 9th, Colonel Harry C. Kessler, formally took command of the new regiment.

From the 4th until the 16th of May, the

regiment was camped northwest of Helena, northerly from the Broadwater Hotel about a mile. In honor of Montana's war governor, it was named Camp Robert B. Smith. Lack of drainage and prolonged rains led to the abandonment of this unhealthy spot, and a new camp was established on the northern slope of Mount Helena near the western suburbs of the city. Here the regiment remained in comparative comfort until its departure for San Francisco, California.

Immediately upon being mustered in, an order was issued dividing the regiment into battalions. The first battalion under the command of Major James W. Drennan, was composed of Companies C, H, L and K. Maj. Byron H. Cook was assigned to the command of the second battalion comprising Companies D, E, G and M; and the third battalion, under the command of Maj. John R. Miller, was composed of companies A, B, F and I. Officers' and non-commissioned officers' schools were at once organized and instruction in military duties, including company, battalion and regimental drill, guard mount and the manual of arms was instituted under the personal supervision of Lieut. Col. R. B. Wallace. Six hours daily were devoted to theoretical and actual military training. Rumors were now rife that Montana's contribution to the war was scheduled to sail for the Philippines, and with a newly organized regiment solely in need of a more extended knowledge of the duties expected of it, every possible effort was made to mold the willing but raw material at hand into a military machine that would not only pass inspection upon its arrival at San Francisco, but also prove a credit to the state that sent it forth to battle in the distant islands of the Pacific.

The regiment was inadequately equipped with the obsolete Springfield rifle. It was, as a member of Company B said, "a good gun as far as it went, but it didn't go far enough." And there proved to be more truth than humor in this remark when, later, the Montana regiment found itself fighting with a foe armed with the deadly Mauser rifle. Nor was the

regiment even properly clothed or shod during the time of its encampment within the confines of Montana. With inexperienced company cooks, not as yet initiated into the mysteries of conserving the regular governmental rations, there was, for a brief time, much complaint among the members of the regiment that they were not adequately fed. But with almost incredible dispatch order supplanted chaos, and at last the regiment left for the front, drilled, disciplined and proud of the privilege of representing the state that sent it forth for the honor and glory of the flag.

At 8 a. m., May 25th, the First Montana Infantry, U. S. V., entrained at Camp Smith and commenced its journey to San Francisco. Meeting with patriotic ovations at every station along the route it reached Oakland Mole on the morning of May 28th and quickly marched to Camp Merritt near the Presidio, where, without delay, drill was resumed and the regiment finally equipped with uniforms and other accoutrements that it had theretofore lacked. On June 12th the Third Brigade, Independent Division, Philippine Islands Expeditionary Forces was organized and to it was assigned the First Montana Infantry, and Brigadier General H. G. Otis was designated as brigade commander.

On July 18th at 8:15 a. m., the regiment finally marched out of camp through the streets of San Francisco bound for the wharf where lay the transport "Pennsylvania" upon which it embarked for the Philippines. By 5 p. m. the regimental baggage, quartermaster and missionary supplies were finally stored and with her decks, masts and rigging alive with men, she dropped out into San Francisco Bay for the night. On the following morning at 10:30 a. m., the vessel weighed anchor and started on its journey to Manila bearing the Montana Volunteers and three hundred recruits for the First California Volunteer regiment that already had departed. Including the ship's officers and crew there were about 1,500 men on board. The "Pennsylvania" was not built for army transport service. Its gal-

ley was sufficient to provide cooking facilities for not over 100 men, and the company cooks worked in relays. It was without sufficient berth decks and until Honolulu was reached on July 28th, one entire company was without berths of any kind in which to sleep. At Honolulu about half of the California recruits were transferred to the Rio de Janeiro and the congested condition on board somewhat relieved.

On August 3rd, at 5 a. m., the "Pennsylvania," accompanied by the transport "Rio de Janeiro," carrying Brigadier General H. G. Otis and staff, the Second and Third Battalions of the First South Dakota Volunteer Infantry, recruits for the Utah Light Artillery, and other detachments, sailed out of the harbor of Honolulu for Manila. With generally pleasant weather but under crowded conditions that tried the patience of the command, these transports finally reached Manila Bay on August 24th, dropping anchor off Cavite, the Spanish naval station, at 9:30 a. m. During the time the regiment remained at Cavite, it passed through a siege of sickness, the natural result of change of climate and surroundings. Dysentery and malaria temporarily all but destroyed the efficiency of the organization. The percentage of illness in Camp Merritt was about four. In Cavite it rapidly increased to ten per cent, and about the time hostilities broke out between the American forces and the Filipinos, it arose to about thirty-three per cent.

Persistent refusal of the Filipinos to abandon territory contiguous to, and within the limits of Manila, required the concentration of troops there to preserve order, and on October 24, 1898, the 1st and 2nd Battalions were taken to Manila, the 3rd Battalion following on November 21st. Regimental headquarters were established at 23 San Miguel street. The 1st Battalion was quartered nearby on Guano street, and the 2nd and 3rd Battalions were housed at No. 6 San Miguel street. Furnished with cots, mosquito netting for protection against the myriads of insects that had made life miserable, shower

baths and other luxuries to a soldier, the regiment improved in health and contentedly awaited for more stirring occupation than that afforded by garrison life. It had not long to wait for as early as December 24th, an order, pregnant with significance, was issued assigning the regiment to a place in the line of defense of Manila with other organizations of the First Brigade, Second Division, to which it had been attached under General Orders No. 22, of October 14, 1898. The Second Division was commanded by Maj. Gen. Arthur MacArthur, United States Volunteers, and the Brigade to which the First Montana regiment was assigned was under command of Brig. Gen. H. G. Otis, United States Volunteers. The Second Division had possession of the portion of the city of Manila north of the Pasig river and the First Brigade extended from the shore of Manila Bay, easterly to a point about 400 yards southwest of blockhouse No. 4, in the following order: 20th Kansas, 3rd U. S. Artillery, acting as infantry; 1st Montana; 10th Pennsylvania facing northerly. On the right of this brigade and facing northeasterly was the Second Brigade of the Second Division under the command of Brig. Gen. Irving Hale. As this is strictly a history of the military operations of the Montana regiment it is needless further to describe the positions of other organizations, except as reference to them is necessary to an intelligent narrative of the operations of our state organization. In this position the Brigade remained for weeks, awaiting developments. The relations between the Filipino and American forces became strained with the capture of Manila on August 13th, and with the signing of the Treaty of Peace between the United States and Spain on December 10th, at once became intensified and aggravated. The insurgents continued to strengthen their lines which completely circled our own, and Aguinaldo, the leader of the Filipinos, employed his time in discrediting the motives of the Americans, and his own arrogance and that of his troops increased rapidly and exhibited itself in repeated insults

to our officers and men guarding Manila where the insurgent troops were allowed to pass freely if unarmed. The soldiers of Aguinaldo strutted about the streets of Manila taunting our troops and openly charging them with cowardice. The uniform obedience of the volunteer forces to military orders to avoid hostilities, their dignified submission to the impudence of the Filipinos and their forbearance in the face of continued insults was as creditable to them as their subsequent gallant conduct in battle. On the 13th of January, 1899, a strong detail of Filipino soldiers defiantly confronted an outpost from Company E, and finally surrounded the Montanans. A display of force promptly made by Captain Jensen, and an interview between the Filipinos and Gen. H. G. Otis and Maj. John S. Mallery of General MacArthur's staff, resulted in the withdrawal of the insurgents from American territory. During the night of the 2nd of February, 1899, probably the first hostile shots of the Filipinos were fired. At midnight, sentries from Company G were relieved by men from Company B and not long after two shots were fired at the advanced outpost. Immediately Captain Wynne and Lieutenant Corby deployed their men, B to the left and G to the right of Dulumbayan road. This affray passed without further hostilities. Describing the condition that existed from the beginning of hostilities on February 4th, Maj. Gen. Elwell S. Otis, commanding the Eighth Army Corps and Military Governor in the Philippines, says in his official report to the Adjutant General of the United States army:

"During this period, rapidly succeeding significant events were fast approaching a state of war and strongly indicated the fixed determination of the insurgent government to drive the United States from Luzon as soon as it could gather its armed men in sufficient numbers. It had appropriated the railway, every engine and most of its rolling stock. It was perfecting its intrenchments around us, planting its guns, concentrating its troops and bringing up its army supplies, though still



publicly asserting its desires for peace. With the cunning which it had always attempted to practice in its amateur diplomacy it endeavored to force the United States to commit the first physical act of hostility in the way of musketry-fire, in order to appeal to the sympathies of the foreign public for a seemingly oppressed people which it falsely claimed to represent. In this it signally failed. The knifing and attempted shooting of our picket sentries brought no hostile response, except the killing, by the intended victim, of the assassin who had so dexterously used the knife

could not reach any satisfactory conclusions on the probabilities of war, and to one unacquainted therewith sane conclusions were impossible. I endeavored to inform Admiral Dewey of the actual situation from day to day, and a few extracts from hastily dictated letters of that time will show how hard it was to formulate opinion. These brief extracts are also an index to swiftly recurring events." The following are furnished:

Manila, P. I., January 16, 1899.

I have been too busy to write, but had there



MEN FROM FIRST MONTANA, TWENTIETH KANSAS AND THIRD ARTILLERY,  
BUILDING BRIDGE ACROSS BIGAA RIVER, MARCH 29, 1899.

upon him. The excitement within the city was very noticeable, and the cruelty of the *Americano* was the theme. No one seemed possessed of any fixed determination but the *Tagalo*. All others were watching for new demonstrations and waiting for developments. Manila is unparalleled for diversity of race and babel of tongues, also for its grade of enlightenment from barbaric ignorance to the highest civilized stage. Rumors innumerable and of the most varied character filled the atmosphere. Today attack was imminent, and tomorrow friendly councils were about to prevail. One fairly-well acquainted with the scheming in progress and the trend of events

been anything special to communicate should have done so. The city is now very quiet and people are again appearing on the streets, seemingly confident that no immediate disturbances are likely to ensue.

Our conferences with General Aguinaldo's commissioners are still in progress. The commissioners had a long session on Saturday and meet again tomorrow evening. The conferences seem to have quieted the atmosphere very much. The *Malolos* congress on Saturday, I understand, disposed of some radical questions by vote. Indications are that the United States government received favorable consideration. I do not look for anything to

develop in the next few days, but we are obliged to keep up constant vigilance.

January 19, 1899.

Everything remains quiet in the city. It is rumored this morning that insurgents say we are only trying to prolong our conference until we can receive more troops, and that the commission appointed, or to be appointed, by the President is only another ruse to gain time. Their army seems to be more or less excited and is considering the matter whether it would not be policy to destroy us all at once, before we can get any more soldiers. All this may be called street rumor but it is very actively circulated. The insurgent army is becoming very tired of doing nothing and demands blood. Business is being transacted as usual; a good many people, on the streets, and quite a number returning again to town.

January 21, 1899.

I was very sorry when I learned yesterday that you had withdrawn the Monterey and Concord. I said last night that there was no immediate prospect of trouble. By that expression I meant that there would not be an outbreak for a day or two. From my information this morning I am convinced that the insurgents intend to try their hand in a very short time—how soon I cannot tell. They will not now permit us to cross their lines and have been very insulting to our officers, calling to them that very shortly they would give us battle. My best information is that they have fully determined to attack both outside and within the city before our additional troops arrive, and the least spark may start a conflagration. Your war vessels placed as formerly will not incite them to attack, but will add to their fears of success in case they begin it. They are no longer amenable to reason; the lower elements have gained control and their congress is powerless to manage them. The best Philipinos in the city say that they are going to attack the city and drive us out. Should they attack, the fight will be over be-

fore your vessels reach the points where they were formerly placed.

I am sending out today for Iloilo a transport with six hundred discharged native-Spanish soldiers who live in the southern islands, and am trying to get rid of about fifteen hundred of these native troops whose homes are in Luzon. They are all insurgents now and give us trouble in the city.

January 23, 1899.

No exciting developments this morning. Another conference was held yesterday between Aguinaldo's and our representatives resulting in very little. It was adjourned until next Wednesday. Aguinaldo is insisting upon the recognition of independence and the return of the Abbie and the launches. I understand that the Malolos congress passed the proposed Constitution with the clause inserted which Mabini insisted on, viz.: "Placing the power in the hands of Aguinaldo to declare war."

The city is very quiet. Yesterday we got rid of 276 of the discharged Spanish-native troops, sending them down the Bay. We have still remaining 315 of the Macabebes who are afraid to go out of Manila, and about 300 other natives who want to stay.

I had a long talk with General Rios yesterday. He says that there are twenty-four officers, with servants, on his vessel, and considerable money, which he would like to have remain there, and seventy-one passengers, besides the soldiers and crew; that the officers belong to organizations which have been disbanded and that they came here with their families and property with the intention of going back to Spain by first available transport at their own expense, and he does not want the soldiers or troops to land. I have directed the Captain of the Port to land the officers and passengers and to keep the vessel in the harbor. \* \* \* Nothing this morning from Washington. The dispatch of yesterday directed me to make strenuous efforts to have insurgents release Spanish prisoners whom they hold. I replied that my influence was not great at present and that I had made such

an effort to release the Spanish priests that I was now accused of being in partnership with the Archbishop.

January 24, 1899.

Things look a little ominous today. You have undoubtedly seen in the papers an account of yesterday's affairs at Malolos, viz.: The proclaiming of the constitution, the proclaiming of Aguinaldo as President, Captain General, and everything else, and the speech delivered by Paterno in which he announced that they would drive the invader from the soil. Everything points to their determination to attack us, if they can persuade themselves that they can do so successfully, before the regular regiments arrive. This is confirmed in a great many ways and I am sure it is the policy on which they are at present proceeding. They may succeed in burning a portion of the town, but little else, I imagine.

January 25, 1899.

I am in receipt of your letter of this morning. I do not consider that the war is over for the present. The insurgents would attack at once if they could be convinced that their efforts would meet with success. The leading Philipinos of the city are afraid to come near me and are in a very excited condition. They know the dangers of an outbreak at any moment and we are holding all troops well in hand constantly. The business men of all nationalities are intently watching developments. The revolutionary government seems to be in the ascendancy, and our former Filipino friends who favored annexation a short time ago, are, for personal safety, giving a sort of adherence to the Malolos government. All this I fully know, and a great deal more which I can tell you at first opportunity, but which it would not be prudent to write.

The Cavite Philipinos went out to join the insurgent ranks during the inspection and review in that zone by their secretary of war—at least so I think—and they can quickly go back to the ranks at any time they may be called upon to do so.

February 3, 1899.

One of the \* \* \* launches arrived yesterday, cleared from Hong Kong; she is one of the three of which \* \* \* wrote, and concerning which I reported that from information received here that I was quite certain was about to bring arms. Upon arrival here her cargo tallied with her manifest and she was apparently all right.

The officer in charge explained that she was about two days late in arriving, owing to bad weather, which compelled her to lie off the coast. These two days gave her time to run to the coast and discharge.

Yesterday afternoon General MacArthur, whose troops north of the Pasig have experienced trouble with the insurgents who have passed over his lines, sent Major Strong, his Adjutant General, out to the officer in command to demand an explanation. Strong, on passing our lines, was placed under a strong insurgent guard and taken to Mandalayan, a point on the Pasig across the San Juan river. There he found the officer in charge and quite a considerable insurgent force taking from several boxes a quantity of new revolvers and Mauser rifles which had just been received. Spanish prisoners were there (the Spanish prisoners whom the insurgents hold) putting the parts of the rifles together and making them ready for distribution.

There has been a great deal of friction along the lines the past two days, and we will be unable to tamely submit to the insulting conduct and threatening demonstrations of these insurgents much longer. I am informed, however, that the chief men of the insurgent government desire to avoid any conflict at present; possibly for the reason that they are expecting to receive arms very soon, possibly because they fear they may not be successful at the present time, and possibly because they may have the belief that they can secure what they desire without conflict. They are constantly asking me to make concessions, that they may be able to control their troops. They have seized a number of our men, and some, I think, inside our lines. Yesterday I sent



Lieutenant Haan of the Engineer Corps to Malolos to secure the release of the men. He did not return last evening but telegraphed me from Malolos that he would explain his delay on his return, which he intimated would be today.

The city is quiet, though there is a vast amount of underlying excitement. We are constantly losing our employes; yesterday seven of our men at our Malacanan quarters left us suddenly to join the insurgents, so we are now very short handed. They stole and took with them whatever they could find of value—one of them driving out of the lines Colonel Barry's carriage, which we consider lost property.

Notwithstanding these ominous signs, unremitting exertions were continually being made for a satisfactory solution of affairs. On the 11th of January I had sent my Adjutant General, Colonel Barry, to Malolos directing him to bear a written message to Aguinaldo, procure a personal interview with him if possible, acquaint him fully with the efforts we were making to preserve the peace and impress upon him the necessity for more conservative action on the part of his troops. At this time a visit by an officer at the insurgent capitol was not considered an agreeable pastime as he was liable to receive gross insults. Colonel Barry, however, met with little difficulty, presented himself at Aguinaldo's headquarters and requested of his secretary permission to pay his respects in person, stating that he was the bearer of an important communication concerning which General Otis desired him to confer with the General. Aguinaldo's secretary received the letter stating that he would present it and make known General Otis' request. Soon after he returned conveying General Aguinaldo's respects that press of business did not permit him to accord the personal interview requested and the Colonel was referred to President Mabini, of the cabinet. Mabini received him graciously and quite a lengthy interview followed. Mabini assured him, in substance, that the insurgent government had exerted itself to maintain

friendly relations with the Americans; had thus far succeeded; that it would continue to make exertion to this end, but that it could not control its people beyond a certain point as they were greatly excited; that his government would do all in its power to effect an amicable adjustment of pending difficulties.

During the latter part of January the insurgents along their established lines and within the city exhibited increased aggressiveness, assuming a defiant attitude—so much so that our troops were gathered well in hand to meet any demonstrations which might be attempted. Insurgent armed parties entered far within our lines and defied our troops to resist their approaches. To arrest these proceedings, our officers, and citizens of Manila connected with the insurgent government, were sent to insurgent general officers at various places along their lines to request that they keep their men in check, which the latter invariably promised to do, paying, however, little heed to their promises. On February 1st, a small detachment belonging to our engineer company was arrested within our territory and sent to Malolos. This act brought on the following correspondence:

HEADQUARTERS DEPARTMENT OF THE PACIFIC  
AND EIGHTH ARMY CORPS.

Manila, P. I., February 2, 1899.  
General Emilio Aguinaldo,  
Commanding Philippino Revolutionary  
Forces, Malolos.

General:

I have the honor to inform you that a small party of engineers, consisting of a sergeant and four privates, who are engaged in making surveys for the completion of the map of Manila, which the Engineer Corps is now busy in perfecting, has been missing for two or three days and is reported to be confined in Malolos. The detachment was sent out to do work within the city with directions to confine itself to city and suburban lines. Why they were arrested I do not understand, nor can I imagine for what reason they are held at

Malolos. I am also informed that a private soldier who went beyond the lines without authority, and for what motive I do not know, is also held as a prisoner.

I send my staff officer, Lieutenant Haan, of the Engineer Corps, to make inquiries and request your action in this matter.

I am doing everything possible to preserve the peace and avoid all friction until the Filipino people can be made fully acquainted with the sentiments and intentions of the American Government, when I am confident they will appreciate the endeavors of the

the honor to state that the sergeant and four American soldiers of the Engineer Corps, today liberated, were detained within our territory, beyond our advanced lines on Solis street, examining our entrenchments and defenses at a distance of less than 200 meters.

The said individuals carried a revolver, knives, a compass, plans of Manila and its suburbs, a book with topographical notes, a measuring tape, a machete, two penknives, scales, etc.

I deeply regret that these soldiers have been taken within our lines, according to the testi-



MALOLOS, CAPITAL OF FILIPINO REPUBLIC, EVACUATED AND AGUINALDO'S HEADQUARTERS IN FLAMES. PICTURE TAKEN SHORTLY AFTER FIRST MONTANA TROOPS ENTERED PLAZA.

United States and will again look upon that country as their friend and protector. I also believe that the present unrest is the result of the machinations of evil-disposed persons.

I am, General, most respectfully, your obedient servant,

E. S. OTIS,

*Major General U. S. Volunteers, Commanding.*

Malolos, February 4, 1899.

Major General Otis,

Chief of the Forces of Occupation of Manila and Cavite.

General:

In reply to your letter of February 2, I have

many of our officers witnesses, inasmuch as there exists a decree dated October 20th, which prohibits all foreigners from approaching our defensive works, taking photographic views of the same, drawing plans, or entering our territory with arms, although free transit is permitted all who are unarmed.

The correspondent of *Harper's Weekly* was arrested in San Juan del Monte taking photographic views, and the proof of this is, that in care of Colonel Miguel, he has been sent his camera and his horse.

I must state, that in consideration of the friendship of the Filipino people for the Americans, the said soldiers have not been

imprisoned but detained in accordance with the spirit of the decree of October 20th, last. They have been lodged in the Gobierno Militar and have been issued the daily rations of our officers. If they have been uncomfortable, it is due to the excessive sobriety of our race and soldiers, who are accustomed to eat but little and sleep on the hard ground.

With these explanations, I believe, General, you will understand the motive for the detention of your soldiers today liberated and who have been treated with all due consideration.

I therefore hope that your determination may be another motive on which to base our friendly relations with the great American Republic, and in consideration of this I also decree the liberty of the correspondent referred to.

I am, General, as ever, your obedient servant,  
(Signed) EMILIO AGUINALDO.

"It will be observed that the insurgent government insisted that this engineer party was arrested outside of our small field of operation which I am confident was not the fact, but the correspondence is given to show the efforts of the American authorities to sustain peace. During all this time our officers and men were insulted and openly proclaimed to be cowards; our outposts were attacked at night and the impression became general that the insurgents, notwithstanding our efforts, would indulge soon in open attack, in the belief apparently entertained by them, that they would meet with feeble resistance. During the entire month of January they had labored incessantly to strongly entrench their lines and place their artillery in position, and boasted freely of their intentions to soon drive the American forces out of Manila. On the night of February 2 they sent in a strong detachment to draw the fire of our outposts, which took up a position immediately in front and within a few yards of the same. The outpost was strengthened by a few of our men who silently bore their taunts and abuse the entire night. This was reported to me by General MacArthur, whom I directed to communicate with

the officer in command of the insurgent troops concerned. His prepared letter was shown me and approved and the reply received was all that could be desired. However, the agreement was ignored by the insurgents, and on the evening of February 4, another demonstration was made on one of our small outposts which occupied a retired position at least one hundred and fifty yards within the line which had been mutually agreed upon—an insurgent approaching the picket and refusing to halt or answer when challenged. The result was that our picket discharged his piece, when the insurgent troops near Santa Mesa opened a spirited fire on our troops there stationed.

"The insurgents had thus succeeded in drawing the fire of a small outpost, which they had evidently labored with all their ingenuity to accomplish in order to justify in some way their premeditated attack. It is not believed that the chief insurgent leaders wished to open hostilities at this time as they were not completely prepared to assume the initiative. They desired two or three days more to perfect their arrangements, but the zeal of their army brought on the crisis which anticipated their premeditated action. They could not have delayed long, however, for it was their object to force an issue before American troops, then en route, could arrive in Manila."

The mental and physical tension produced by such a condition may well be imagined. In addition to this, the monotony of barrack life and the knowledge that the American forces were to all intents and purposes the prisoners of the Filipinos confined to the territory adjacent to Manila which had slowly been surrounded by the entrenchments of the insurgents, filled the minds of the troops with an eager desire to strike and put an end to a situation that had become intolerable. Restless under the restraints which had been imposed, the American troops were eager to avenge the insults received. At last with the outbreak of February 4, 1899, the opportunity came. At 8:30 p. m. on the night of that date, growing bolder and more persistent in their efforts to bring on a conflict, a strong detail



of Filipino soldiers appeared at an outpost held by a detachment of the 1st Nebraska Volunteers at the west end of the Santa Mesa bridge on the extreme right of General MacArthur's line. The Filipino detachment was led by one of Aguinaldo's officers who attempted to pass the American outpost which was at least one hundred and fifty yards within the line that had been mutually agreed upon by the Filipino and American commanders. Refusing to halt or answer when challenged, Private Grayson, Company D, 1st Nebraska Infantry, U. S. V., after strictly complying with army regulations and commanding the insurgent to halt for the third time, fired as duty required, killing the Filipino lieutenant while he was still attempting to pass the picket line. The insurgent forces near Santa Mesa promptly opened a terrific fire on the American troops at that point. Aguinaldo had at last accomplished that which he had all along secretly desired. Technically the American forces had fired the first shot. He trusted that he could convince the world that the Filipinos had been unjustly attacked and thereby profit from possible complications which this situation might produce. By 9:30 p. m. the firing of the insurgents had gradually extended along their entire line north of the Pasig river and in front of the Second Division, the enemy remaining peculiarly quiet all along the south side. Evidently here the Tagal officers had better command of their men. The affray was one of fierce attack on the part of the Filipinos while our troops lay quietly behind their positions, refraining from indiscriminate firing and useless waste of ammunition in the darkness.

This rattling fusillade lasted about one hour, our outposts falling back at the first attack and with commendable promptitude being reinforced by the regiments distributed over the city in barracks with full instructions as to their duty under precisely the conditions that at last had matured and rendered action necessary. By 10:30 p. m. the firing had all but ceased, and the troops were resting on their arms, when a second attack was made con-

tinuing until about 2 a. m. of February 5th. A lull followed, when at 3:30 a. m. the fusillade commenced again and a well sustained, continuous and terrific rifle fire swept back and forth along our entire front. Throughout the night the Americans maintained their positions, and their marked coolness, fine discipline and obedience to orders to refrain from useless waste of ammunition were the subject of congratulations in general orders issued after the battle was over.

The outbreak continued until five o'clock on the evening of February 5th and at its close the American forces had taken all of the Filipino entrenchments, and with Manila as the center our lines stretched in a semi-circle from the shores of Manila Bay in the vicinity of Malibay on the south to a point on the bay on the north of the city.

In this battle the Montana regiment distinguished itself for possessing all of the qualities that characterize the peerless American volunteer. When the outbreak began, Companies M and I were on the line, the balance of the regiment in the city. A cossack post consisting of twelve enlisted men belonging to both companies and under command of Corporal W. S. Lincoln of Company M was on duty in front of the main body. Private Michael Henry, of Company M, on sentry duty towards the Bay was fired on and immediately replied. The detachment stubbornly resisted although in imminent danger of being cut off, but finally fell back to the line, maintaining a well directed and sustained fire. The companies were then deployed and covered the ground between the 3rd United States Artillery to the left of Dulumbayan road and to the right, to connect with the 10th Pennsylvania, a distance of about one-half a mile. The night was very dark and with a line extremely attenuated by reason of the extended territory covered, the companies maintained this position for over an hour, and then retired under orders to the protection of a cemetery that was surrounded by a stone wall. While here, the enemy, apparently in hopes of breaking through the Montana lines, ap-

proached to within a few yards of the position taken by the Montana men, but their plans were shattered and they fell back to a position of safety. The disadvantages of the Springfield rifle became apparent as soon as they were fired in the dark. The flash enabled the enemy to locate the position of every gun that was discharged that night. Within an hour after the insurgents' attack the troops remaining in barracks were ordered to be in readiness to move. Companies G, E and B, under the immediate command of Major Byron H. Cook, but accompanied by Lieut. Col. R. B. Wallace marched to a position on the left of the 20th Kansas regiment. Companies E, and B soon were sent back, but Company G remained all night with the Kansans, returning in the morning to the regiment. Temporary headquarters had been established on the Dulumbayan road at Calle Iris, by Maj. Gen. Arthur MacArthur, where the returning companies took their position for further orders. Companies L and C, under the command of Colonel Kessler, joined Companies M and I at the cemetery mentioned about 11 p. m. on the night of February 4th, and under protection of rice dykes and the walls of the cemetery remained for the balance of the night, assisted by two 3.2 guns of the Utah Light Artillery, under command of Captain Grant. Until dawn these Montana Companies were busily engaged in combatting the enemy, and early on the morning of February 5th, with the help of a part of Company C under Captain Keown, the territory immediately in front of this position was cleared and an advanced position taken up preparatory to the operations that were to follow. During the night insurgent troops poured in for service against the Second Division and General MacArthur found it expedient to rearrange his lines for strategic reasons. Maj. Gen. E. S. Otis telegraphed him as follows: "Think line you suggest from coast to Chinese Hospital your proper one, not permitting Stotsenburg to expose your right flank unnecessarily."

The insurgents had firm possession of the Manila and Dagupan Railway and all of its

rolling stock and were utilizing it to their own advantage in forwarding to Caloocan their troops from the north. General MacArthur answering the telegram received from General Otis, notified the commanding General that he would act accordingly and try to occupy the Chinese Hospital and extend the line to the left from that point. He says in his official report: "I have no doubt when Colonel Kessler gets a gun" (meaning a piece of artillery) "which I have sent to the front, we will demolish and occupy the hospital if it is still defended by the insurgents." To establish the line General MacArthur ordered an advance of about a mile to La Loma church and the Chinese cemetery. Captain W. L. Hill, with a portion of Company F, reconnoitered the territory to the right meeting with sharp resistance. Supported by the balance of his company under Lieutenant Gardenhire, he reached the Chinese hospital and took it. Companies C, F, H, I, K, L and M, were thereupon ordered to advance and in the face of stubborn resistance on the part of the insurgents occupied the ground Colonel Kessler had been ordered to take. Company G in the meantime was engaged on the left of the 20th Kansas, fighting with that regiment. On February 6th the lines were slightly reformed to enable the regiment to take advantage of the contour of the ground and trenches were thrown up. No further advance was made until February 10th when the battle of Caloocan was fought.

In the operations of February 4th and 5th, the regiment sustained the following casualties: Private L. L. Pierstorff, Company C, wounded; Private Charles Runnels, Company H, wounded; Private George A. Rowland, Company H, wounded; Corporal Edward L. Skinner, Company I, wounded; Corporal William Meyersick, Company I, wounded, (died February 13th); and Private John Sorenson, Company L, wounded, (died February 20th). Private Henry Slack, Company B, was wounded on February 7th.

The official report of the Commanding General speaks of the effects of the military oper-

ations of February 5th and 6th and of the causes that led to the battle of Caloocan in the following language:

"The demoralization of the insurgents, which the rough handling they had unexpectedly received from the American mode of conducting warfare hitherto unknown in these islands, and pronounced by them to be new and unsoldierly, continued for two or three days. The leaders, confessing that their men were overmatched by our troops, contended that they could overcome by numbers what was lacking in individual characteristics. They commenced at once a reconcentration of all their forces in every direction, hastening from the north\* by rail every available man whether armed with rifle or bolo. Still they had lost a good many of their original soldiers, who thoroughly satisfied with the results of their war for independence, had escaped to their homes in distant villages. There was no lack of ammunition or subsistence for the troops on the north, but those on the south had lost through capture all the rice and cartridges which they had stored near their original lines and could not be resupplied without difficulty. The bolo men of the city, who had remained quiet since the afternoon of the 5th, began to show again a turbulent disposition, and as early as February 8th, became bold and defiant. It became necessary to make new combinations, for the insurgents still persisted in the intention to carry out their former pre-conceived plan of action, which was to be an attack on our front, assisted by an overwhelming uprising of the city insurgent militia.

"Our southern line was short and secure. The northern line had a sharp, protruding angle at the Chinese church, one and one-quarter miles southeast of Caloocan, thence it extended southeasterly towards the Deposito, thence south to the Pasig river with a strong outpost at the pumping station, four miles east of the Deposito. The left of this line was refused, running from the Chinese church to Vitas Pass in a southwesterly direction. Two battalions of the provost guard had been sent to the pumping station and other portions of

it had been placed far out in the suburbs. The increased insurgent activity within the city obliged the return of all this guard for city service, and to effect it, the Wyoming battalion, three troops of the Fourth Cavalry, the North Dakota regiment and two guns of Dyer's Light Battery were withdrawn from Anderson's front. The first organization relieved the Twenty-third Battalion at the pumping station. The cavalry and artillery troops were sent to General MacArthur for use in the vicinity of the Chinese church and the North Dakota regiment was placed in Malate (where an uprising was threatened) for temporary duty.

"General MacArthur had requested permission to swing his left on the town of Caloocan, thereby giving him an excellent continuous and direct line on good ground from that town to the Deposito, but was requested to remain as quiet as possible for a couple of days until the enemy could effect complete concentration in the front, when another opportunity to punish him very severely would be presented. This he did and on the 10th of the month (it having been reported that Luna had placed about four thousand insurgents south of Caloocan in front of MacArthur's refused left) was directed to rectify his alignment, which he accomplished on the afternoon of the 10th by a very spirited attack on the part of the Montana, Kansas and Pennsylvania Volunteers and the Third Artillery (brigade of Brig. Gen. H. G. Otis) swinging on the Chinese church as a pivot. The attack, preceded by a fire of thirty minutes from the guns of the navy vessels on and in front of Caloocan, consisted of an impetuous charge which swept away every obstacle, inflicting great damage on the enemy who fought stubbornly within his intrenchments for a time, but finally fled indiscriminately to the rear. Our troops pursued beyond the line which it was intended to establish, rushed on to and over the stone walls which surrounded the Caloocan cemetery, where the insurgents had placed a strong force, which they well-nigh destroyed. Darkness coming on the troops were



quickly recalled, and the line, with the left resting on Caloocan, was occupied—the extreme left being refused to guard against any movement from the direction of the town of Malabon.”

In this engagement the Montana regiment played a conspicuous part. At about 3 o'clock of the afternoon of February 10th, the big 10-inch guns of the navy began firing upon the Filipinos, accompanied by the guns of the Utah Light Artillery, throwing shrapnel. The artillery fire ceasing, in accord with prior arrangements, was succeeded by a general advance of infantry. At about 4 o'clock the Montana regiment gallantly moved forward under a storm of rifle fire that proved disastrous but did not deter the advance. In this, Companies D, G, A, and I, were on the firing line between the 20th Kansas on the left and the 3rd United States Artillery, acting as infantry, on the right. Companies L, K, B, and F, had been designated as the support, but with the actual advance were found on the firing line with the other companies named. It is probably true that they found their way to the firing line, not under any misapprehension of orders, but because they would not remain in the rear as a support to the four companies that were ordered to the front to fight by the side of the Kansans. Some of the officers and men afterwards stated that these four companies could not be controlled but insisted upon advancing to the front as soon as the infantry engagement commenced. These eight companies were commanded by Colonel Kessler. Company E was ordered to occupy blockhouse No. 2. Company C was at La Loma church with the 10th Pennsylvania. Company M performed arduous duty under command of Captain Hallahan, this organization being under the immediate direction of Maj. J. Franklin Bell, then on the staff of the Commanding General, later a Major General in the United States army. The use for which Company M was intended, and how well it performed its duties are set forth in the report of General MacArthur, who says:

“In connection with the occupation of Caloo-

can, Company M of the Montana Regiment, Captain Hallahan commanding, was placed under the orders of Major Bell, U. S. V., engineer in charge of the office of Military Information with a view of utilizing a ravine for a concealed advance, in the hope of deriving advantage from the sudden and unexpected appearance of our troops on that part of the field. This duty, which was special in its nature and also involved the possibility of extra hazard, was well performed.”

Shortly after noon on February 10th, and before the artillery bombardment began, Company M, under directions of Major Bell, who was familiar with the military possibilities of the country in front of the American lines, quickly and unseen took up a position far in advance of our troops. In accordance with a carefully outlined program, the company then crawled to a position from which the insurgents could be attacked on their left flank by an enfilading fire. To reach this position required not only bravery of a high order but skilful employment of all the sagacity of trained scouts, as discovery would upset the plans of attack and mean possible death to the participants. Arriving at the designated position unobserved, the company opened fire on the Filipinos, who, disconcerted, nevertheless, promptly attacked the company on all sides. The approach of the American forces, however, led the insurgents to abandon the attack and to retreat. Company M at once started for Caloocan, finally reaching that place without ammunition and depending entirely upon a bayonet charge, if necessary, to reach its destination. Shortly after other companies of the 1st Montana arrived and the burning remnants of Caloocan, fired by the retreating Filipinos, fell into our hands. At 5:15 Privates James Casey and William E. Edwards, of Captain Hallahan's company, raised the Stars and Stripes over the town. The Filipinos, now thoroughly demoralized, were beating a precipitate retreat northward, followed by many of the Montana boys, who pursued them far beyond Caloocan that night. An investigation showed that nothing of the

town remained except the railroad property and a stone church, which, used as a fort, had been badly damaged by the fire of Dewey's naval guns. At the battle of Manila on February 4th and 5th, the loss sustained by the regiment had been comparatively light, but in the battle of Caloocan, lasting less than one-half day, the casualties were much more numerous and severe.

Private Frederick Hall, of Company I, assigned to the Regimental Band, was killed, and the following officers and men wounded:

Lieut. Col. R. B. Wallace,<sup>1</sup> shot through left lung.

Capt. William F. Hill, Company F, shot in right groin severing femoral artery.

Lieut. William C. Gardenhire, Company F, shot in leg.

Company A.—Corporal David A. Bruneau, Musician Seth H. Dibble, Private John C. Bullard, Private Adolph F. Charette, Private Clarence C. Briggs, (attached to regimental band), died February 12th.

Company B.—Sergt. Everett Metcalf.

<sup>1</sup> Robert Bruce Wallace, lieutenant-colonel, First Montana Infantry, U. S. V., was a graduate of the United States Military Academy, West Point, New York, having secured his appointment as a cadet from Montana. He graduated in 1890, obtaining the ranking cavalry appointment of his class. He was assigned to the Second Cavalry, U. S. A., and joined his regiment at Fort Huachuca, Arizona, where, by a strange coincidence, death overtook him ten years later. He was promoted to 1st lieutenant, January 4, 1897. When the Spanish-American war broke out, he was on detail service as military instructor of the Montana militia and was granted indefinite leave of absence to accept the commission of lieutenant-colonel of the volunteer regiment that was to go to the front from this state. He was mustered in as second in command on May 7, 1898, and served throughout the war with his regiment. Wounded through the left lung within an inch of his heart at the battle of Caloocan, he left the hospital the ninth day after he was shot, his splendid physique proving his own undoing because his remarkable bodily endurance seemed to know no bounds. On July 10, 1899, he was commissioned colonel of the 37th Infantry, U. S. V., being the youngest colonel in the army and the only regular officer below the grade of captain to be thus honored. With his new organi-

Company D.—Sergt. George W. Lowman, Private James M. Box, Private Edward G. Reynolds.

Company F.—Private James Cravere.

Company G.—Private James W. Kennedy, Private Delos D. Babcock, Artificer William J. Borthwick, Private Karl J. Peterson.

Company K.—Private Thomas Malloy.

Company M.—Private John J. Campbell, (died February 16th), Private Joseph Callahan, Private Percy C. Bullard, of Company I, was wounded on the day before the battle of Caloocan.

From this date until March 24th the Montana regiment with the others comprising the Second Division remained in their trenches. It was a period of waiting that exhausted the patience of the volunteers.

Referring to this period and to the military operations that closed with the occupation of Malolos, the capital of the Filipino republic, the commanding general reported:

"In the meantime my native scouts were obtaining information at the north. Malolos

zation recruited and ready for service, he was ordered home by a board of army surgeons, leaving Manila September 28, 1899. He went to Los Gatos to recuperate, but growing impatient to rejoin his regiment, proceeded to Fort Huachuca, believing that "the old Arizona sun and dry air would pull him out quickly." On the way he contracted a cold which settled in the afflicted lung, and after an illness of only five days, he died, March 13, 1900. In compliance with his wishes he was taken to Montana, and on March 25th he was buried with military honors in Forestvale cemetery, at Helena. His funeral was a noteworthy tribute of his old comrades and of the citizens of the state to his noble character and brilliant achievements. On a tablet in the capitol at Helena are inscribed the following words:

#### ROBERT BRUCE WALLACE

1st Lieutenant 2d U. S. Cavalry, Colonel 37th U. S. Vol. Infantry, Class of 1890.

Born Feb. 7, 1869

Died Mar. 13, 1900.

Of wounds received at Caloocan, P. I., while leading a charge. His commanding general, E. S. Otis, wrote of him: "He served his country nobly; and his countrymen are greatly in his debt."



had become a war depot, also Calumpit and Baliuag. It was reported that the former city contained a very large quantity of rifle ammunition; that the intervening country beyond Caloocan and along the line of the railroad was virtually covered with defensive works, intrenchments having been constructed every few hundred yards. Lieutenant General Luna boasted of having available on the short line fronting General MacArthur's left, sixteen thousand men, but my scouts numbered those between Caloocan and Malolos at from six to eight thousand and verified their estimates

vision and the second, that of General MacArthur, were given three brigades. Those in the first, commanded by Brigadier Generals Ovenshine, King and Wheaton, and those in the second by Brigadier Generals Hale, Otis and Hall. To secure sufficient force for the northern advance it was necessary to take all available organizations from both divisions but Manila and the waterworks must remain covered. A separate column for General MacArthur was made up from his own immediate command composed mostly of the volunteers and consisting of the brigades of Brigadier



FIRST MONTANA INFANTRY MARCHING UP MARKET STREET, SAN FRANCISCO, CALIFORNIA, ON RETURN FROM THE PHILIPPINES.

by personal observation. This concentrated insurgent force was then our true objective and it was believed that it would stand and receive our attacks. Our troops were impatient to be let loose and were in excellent health and spirits.

"The 4th and 17th Infantry with Major General Lawton and staff arrived from New York City between the 10th and 22d of March. New military combinations were made on March 17th, General Lawton relieving Major General Anderson, who had been advanced to the position of brigadier general in the regular establishment and directed to proceed to the United States. Both this di-

Generals Otis and Hale, the Colorado regiment being left to guard the Deposito and pumping station. Brigadier General Wheaton was directed to take command of the left of this line from La Loma to Caloocan, and the Kansas, Montanas, Pennsylvanias, and a battalion of the Third Artillery and nearly all the Utah Light Artillery were relieved therefrom by the Oregon Volunteers, the 3rd and 22nd Infantry, a battalion of the 23rd Infantry of the provost guard subsequently reporting and two or three days thereafter the Minnesota Volunteers, which had been relieved from the provost guard by the 20th Infantry. Brigadier General Hall was assigned to the right of



this line, having the Colorado and Wyoming troops, the 4th and 17th Infantry and a platoon of the Utah Light Artillery. He was directed to make a demonstration to the north when General MacArthur should take up his advance, for which everything was in readiness on March 24th. That night the troops intended to take part in this particular movement were withdrawn from the trenches and assembled behind La Loma and the Deposito and very early the next morning proceeded on their march. General MacArthur's instructions were to move in two columns in echelon from the right, the right brigade (Hale's) preceding the left (Otis's) by a considerable distance, so that the latter would cover the left and rear of the former and neutralize any attack from the insurgents in that direction, who were very strong from Caloocan to Balintauag on the Novaliches road. Wheaton, whose left rested at La Loma, and who was expected to swing to the left on Caloocan at the proper time, was directed not to move until specially directed unless MacArthur's left column should become seriously engaged and need assistance. The advancing columns were to move on Novaliches—Hale's brigade to that point by San Francisco del Monte and Bagbag, and Otis's keeping to the left and retired was expected to strike the Novaliches road near, and to the right of Balintauag. Crossing the Tuliahan river, fordable at Novaliches, they were to turn to the westward and thence proceeding by the road which strikes the railroad south of Polo were to place themselves on the left flank of the enemy while General Wheaton made a frontal attack. This matured plan failed in part, owing to the natural obstacles which were constantly met on the line of march. Hale's brigade moving by San Francisco del Monte, encountered serious difficulties there and beyond, and was obliged to drive off detachments of the enemy by which it was unavoidably detained, and the left brigade gained the advance. It was attacked by the insurgents when Wheaton commenced his swinging movement to the left and diverted their attention. The brigade struck the Tulia-

han river some distance below Novaliches, crossed its artillery and transportation only by a great deal of labor because of the high banks and the dense growth of brush, while the right brigade continued to Novaliches and took the designated western route. This march was exhausting in the extreme and the entire day was consumed when the right bank of the river was attained. Early the next morning both brigades marched towards the railway but could not develop a line northward in the immediate vicinity of Polo, as intended, on account of the swamps, thick masses of brush and tropical undergrowth through which the artillery and transportations could not be passed, not even the men.

"While these brigades were executing this movement, that of General Wheaton had engaged the enemy with great spirit. Some time before evening it had driven him from all of his entrenchments back and across the Tuliahan river which it was about to cross in pursuit, when its advance was arrested to await developments on the enemy's left flank by the troops expected from Novaliches. The next morning as soon as the head of that column had about gained the railway line it was permitted to renew the attack and quickly passing the river at two points, and aided by the flanking troops, completely routed the enemy and drove him northward and beyond Polo, where he made a determined stand the following day, from which he was driven by General MacArthur's united troops with considerable loss. From that date to end of the month MacArthur pressed northward the enemy who stubbornly contested every village and locality having defensive advantages and burned every town from which it was obliged to retreat. Our troops entered Malolos, the insurgent capital, March 31st. That alleged government had removed all its records and property, and its army set fire to the city when it retreated on Calumpit and Quingua before the advance. The troops needed rest, and it was necessary to repair the railway over which the advance had been made in order to forward the necessary supplies. The line of communication, too, was long, considering the position of the

enemy on our flank and the few troops which could be spared to protect it, and it was believed that a water base could be established at Malolos which would make available for the field an additional fifteen hundred men. Our casualties, from the commencement of hostilities to April 1st, were twelve officers and one hundred and twenty-seven enlisted men killed, and forty-eight officers and eight hundred and thirty-three enlisted men wounded. The sick among these troops which had advanced to the north increased to fifteen per cent, due mostly to their exhaustive labors and heat prostration."

The Montana regiment upon the capture of Caloocan entrenched themselves north of the town and on the right of the railroad track. Here they remained until the advance, having for its ultimate object the capture of Malolos, was begun. Subjected to the snipping rifle fire of the ever-watchful enemy, their sleep disturbed by night, their rest by day, exposed to the heat of the tropic sun and drenched by the rains, suffering from lack of properly prepared food, and compelled to drink unhealthy water, they remained constantly on the firing line, a target for the insurgents in front, rear and flank. The casualties sustained bear witness to the dangers to which they were exposed. The following is the list:

Company A.—Private Henry C. Beecher, killed March 15th. Wounded—Private James G. Anspach, February 25th; Private Alvin F. Plottner, February 28th; Private Otto Nelson, February 23rd; Private John W. Shannon, February 23rd.

Company B.—Private Charles Brinton, February 11th; Private Martin Hyman, February 22nd.

Company C.—Private John F. Dunn, February 23rd; Private Glen Hurd, February 23rd; Private Albert S. Hicks, February 25th.

Company D.—Private William F. Kramer, February 23rd.

Company E.—Private Alfred Cashmore (transferred to regimental band), March 2nd.

Company F.—Private Frederick A. Chaxel, February 23rd.

Company G.—Private Theodore H. Manchester, February 23rd; Private Edward S. Moore, February 27th (died February 28th).

Company I.—Private William A. Bonham, February 23rd.

Company K.—First Lieutenant Philip Greenan, February 23rd; Private Howard L. Turner, February 28th.

Company L.—2nd Lieut. Eugene S. French, February 23rd; Corporal William A. Steadman, February 23rd; Private Thomas P. Dunn, February 23rd.

Company M.—Private William J. Cheastey, February 28th.

The only event of importance to break the monotony of this period was the outbreak of February 23rd on which day several Montana men were shot. Of this uprising the commanding general speaks as follows in his official reports:

"On February 15th the provost marshal general secured an order issued by the Malolos government, through the responsible officer who had raised and organized the hostile inhabitants within the city and then departed for the insurgent capital, which directed a rising that evening, and which for barbarous intent is unequaled in these modern times of civilized warfare. A translation reads in part, as follows:

'First. You will so dispose that at eight o'clock at night the individuals of the territorial militia at your order will be found united in all the streets of San Pedro armed with their 'bolos,' and revolvers and guns and ammunition, if convenient.

'Second. Philippine families, only, will be respected. They should not be molested, but all other individuals, of whatever race they may be, will be exterminated without any compassion, after the extermination of the Army of Occupation.

'Third. The defenders of the Philippines in your command will attack the guard at Bilibid and liberate the prisoners and 'presidiarios,' and having accomplished this, they will be armed, saying to them, 'Brothers, we must avenge ourselves on the Americans and ex-

terminate them, that we may take our revenge for the infamies and treacheries which they have committed upon us. Have no compassion upon them; attack with vigor. All Filipinos "en masse" will second you. "Long live Filipino Independence!"

'Fifth. The order which will be followed in the attack will be as follows: The sharpshooters of Tondo and Santa Ana will begin the attack from without, and these shots will be the signal for the militia of Trozo, Binondo, Quiapo and Sampaloc to go out into the street and do their duty; those of Paco, Ermita and Malate, Santa Cruz and San Miguel will not start out until twelve o'clock unless they see their companions need assistance.

'Sixth. The militia will start out at three o'clock in the morning. If all do their duty our revenge will be complete. Brothers! Europe contemplates us. We know how to die as men, shedding our blood in the defense of the liberty of our country. Death to the tyrants, war without quarter to the false Americans who have deceived us! Either independence or death!

"Of course arrangements were made to immediately check this contemplated demonstration, but the order gave us our first positive assurance of the tactics which the insurgents intended to pursue and confirmed the rumors of intent which had been prevalent since the last week in January. This fortunate precaution served to keep very active the watchfulness of all officers charged with the safety of the city, and vigilance was rewarded on the night of February 22nd, when a directed rising was attempted and was successful in its inception and primary stages. Considerable numbers of armed insurgents, passing by water through swamps around MacArthur's left, entered Tondo, the northern district of the city, about a mile to the rear of his line, and there concealed themselves, awaiting their opportunity. Shortly after dark in the evening a number of buildings, some of considerable importance, situated in the thickly settled portion of Binondo, were simultaneously fired, having been previously kerosened, and while

the city fire department (a department, the membership of which was confined to natives who had always proved loyal) was making great efforts to extinguish the fires, or at least hold them under control, the fire hose was repeatedly cut and musketry shooting commenced very near them at the north, on the Tondo and Binondo line. This, General Hughes, present in person, soon checked with his troops, driving the attacking parties northward, when other fires broke out in the Binondo district near the river bank which threatened our army supplies. These were quickly extinguished and the armed insurgents again driven northward. Early the next morning General Hughes moved against this enemy secreted in Tondo, which may have numbered one thousand or more, drove it northward towards General MacArthur's lines, although it resisted stoutly from its concealments in the bamboo rice paddies, and behind barricades which it had erected. The enemy's casualties numbered about five hundred, while General Hughes' loss, owing to the rapidity and fierceness of his attack, was very slight. This punishment put an end to the dangerous demonstrations within the city on the part of the insurgent inhabitants, and thereafter they failed to respond to the orders given them by the Malolos government, much to the latter's indignation, which charged them with a lack of patriotism."

It was to assist the provost guard in dislodging these insurgents that led to the participation of several of the companies of the Montana regiment in the operations of that day, and with the death of Lieutenant French, every man felt a personal loss. At the head of Company L he was assisting Major Mallory, of General MacArthur's staff, in rounding up the Filipinos. A motley crew of these insurgents had been captured. They raised a white flag in token of surrender and Lieutenant French, commanding his company to cease firing, ascended a bank to assure the captives of their safety. While he was endeavoring to communicate with them, one suddenly drew a



gun concealed either upon his person or in the grass and shot him through the heart.

On the night of March 24th the Montana regiment commenced its advance that scarcely without interruption, ended with the capture of Malolos. The Montanas with the 10th Pennsylvania Regiment were to move to the right of the 3rd Artillery and 20th Kansas. Under cover of darkness, our regiment marched from Caloocan back to La Loma church a distance of four miles. The only company not present was Company A commanded by Captain Moran, then detailed for guard duty in Manila. Relieved to join the regiment, it reached La Loma church after the regiment had commenced its advance and accompanying the Second Oregon Regiment, with which it fought in the battle of Malolos, it finally joined its own command on March 27th. The line of advance to Malolos followed the railroad, running parallel to the shores of Manila Bay. The left of the advancing division had to struggle through a network of swampy estuaries, while the troops on the extreme right in the successive flanking movements that marked their advance waged a constant struggle with the bayonet-like thorns of the jungles through which they laboriously fought their way. A front of about eight miles was covered in this advance. No engagements of sufficient importance to be called battles marked the military operations carried on between Caloocan and Malolos, but on the other hand, constant, desultory fighting along the entire front of the advancing Second Division, sapped the strength and vitality of all of the men engaged.

Leaving La Loma church at 6 A. M. the Montana regiment advanced in line of skirmishers. Colonel Kessler was in command. Lieutenant Colonel Wallace, with Companies H, K and C was to the right; Major Cook with Companies M, E, G and D was to the left of Wallace, and Major Miller with Companies L, F, I and B advanced on the left of Cook. From the start the Montana regiment, sweeping across the level fields, encountered a brisk and deadly fire from the unseen enemy

covered by the distant jungle. The heat was terrific and many succumbed to it. Within four hours the regiment reached the Tuliahan river, driving the Filipinos from their well-constructed entrenchments and also annihilating a Filipino force occupying two block houses that lay in front of the advancing skirmish line. Upon the banks of the Tuliahan the Montana regiment took an enforced and refreshing rest until, by noon, the whole First Brigade was ready to proceed.

The 1st and 2nd Battalions waded through the water that reached above their waists. The 3rd Battalion forded the river at Malabon. Once across the river the regiment bivouacked for the night, sleeping in their wet clothes without blankets or tents. The casualties of the day's work were five killed and sixteen wounded.

Company F. Killed: Artificer Joseph O. J. Beckman.

Company G. Private Percy R. Lockhart, Private Steve Stephens.

Company M. Private William Meitschke. Wounded: Company D. Private Thomas Rickard.

Company E. Private John Cavanaugh, Private James Enright, Musician James M. McQuary, Private George T. Banks.

Company G. Private Robert Brown, (died March 26th from wounds received the preceding day at the Tuliahan river). Private William H. McCarthy; Private Hayes Axtell; Private Gomer Williams; Private Joseph P. Meyer; Private John T. McLaughlin; Private Charles E. Young.

Company H, Second Lieut. Myles Kelly; Private Louis Pollat.

Company I. Private Edward J. Lynn; Private Edward M. Weaver.

Company M. Private John E. Robinson.

Early the following morning the regiment, no longer deploying as skirmishers but in column of squads marched northward to Polo. Malabon was burning fiercely. With the end of the day the regiment took up a position in the abandoned trenches of the enemy north of Polo and on the right of the railroad track.

The enemy was now precipitately retreating towards Malolos and burning every town in their wake. The regiment bivouacked during the night of the 26th of March in the glare of burning nipa huts and bamboo thickets. No pitched battle occurred during the advance of the 26th, but the regiment was the target of Filipinos hidden in the impenetrable thickets. Maj. F. J. Adams, regimental surgeon, exposing himself to the enemy's fire while administering to those who were suffering from the terrific heat, was wounded on this day, as also was Private Edward Morrissy of Company B. On March 27th the regiment acting as reserve with the 3rd United States Artillery on the firing line, broke camp at dawn and proceeded north in column of squads.

On the afternoon of March 26th, General Hall, commanding the Second Brigade, had fought a spirited battle at Maycauayan flanking the insurgents and driving them northward, demoralized and defeated. The Montana regiment reached this place about 10:30 on the morning of the 27th, where it rested for a few hours. With the coolness of the late afternoon, the Montanas proceeded a short distance north of Maycauayan to the Marilao river. It was a wide and deep stream and the Filipinos had destroyed the bridge, after they had crossed it at this point. Approaching troops and supplies rendered it necessary to effect a crossing at once, and the night was spent by most of the Montana regiment constructing a pontoon bridge over the river under the direction of an officer of the engineering corps of the regular army. With the scanty material at hand the bridge was finished in ten hours, details of sixty men each working during two hour shifts. Although in reserve throughout the 27th, the regiment sustained its daily loss. The following men were wounded as shown by the regimental reports:

Company A. Private Harry T. Athay.  
 Company C. Private Theodore Volkey.  
 Company G. Private William H. Yost.  
 Company H. Private Frank A. Gibson.

Company I. Corporal Joseph Lorenz; Private Seymour Addison.

Company K. Private John T. Tierney; Private Lawrence Keenan.

The only event of importance on this date was a sortie made by Companies I and B under the directions of Major Miller, against the Filipinos to protect the 3rd United States Artillery. The Montana men under fire crossed the river in boats and relieved the regulars from a position that threatened them disastrously. Passing over the Marilao river by means of the bridge constructed the day before, the regiment marched northward to Bocave and went into camp for the night.

Leaving on the morning of March 29th the Montanans advanced in the following order. The 2nd Battalion, Major Cook commanding, and the 3rd Battalion (Miller's) in extended order, with the 1st Battalion under the command of Colonel Wallace, as support, advanced against the entrenched enemy to the Bocave river. Crossing by the bridge, the regiment proceeded rapidly, crossing the Bigaa river, and the town of the same name, to which the retreating enemy had applied the torch, was occupied shortly after noon. A short rest here was followed by another advance and Guiguinto was reached in the afternoon. The Filipinos were now flying northward to Malolos and their retreat was being covered under the protection of a rear guard evidently commanded by some officer, native or Spanish, who exhibited marked military skill. The following casualties were sustained by the regiment on March 29th.

Killed:

Company D. Private William D. Marshall. He was acting as orderly to Colonel Kessler. Standing by the side of the colonel holding that officer's horse, he was instantly killed.

The wounded were:

Company A. Corporal William H. Tolbert.  
 Company E. Private James P. Lennox;  
 Private Axel Peterson.

Company F. Private William Borkowski;  
 Private Edward Bowen.

Company H. Private Frederick Wheaton,

(died March 30th); Private Alex F. Smith; Private Charles F. Meyer.

On March 30th the 1st Brigade marched to the trenches of the enemy about two miles from Malolos, finding evidences of a determination on the part of the enemy to resist the American advance. The forward movement did not begin until about the middle of the afternoon, as the brigade was short of rations and the commissary supplies were not issued in time to permit an earlier start. Covered by Companies A and F deployed in line of skirmishers, the regiment marched to Santa Isabel preparatory to the attack on the capital of the so-called Filipino Republic, the 20th Kansas bivouacking on its right and the 3rd Artillery on the left.

On the morning of March 31st, the attack on Malolos was opened with an artillery bombardment that began at 7 A. M. About eight o'clock the troops slowly advanced, meeting with some resistance on the right but to the surprise of the Americans, the enemy's defense was listless, and Malolos, having been set on fire and evacuated by the Filipinos, fell without a struggle. The Montana regiment was nearest to the town, and General H. G. Otis ordered the 2nd Battalion (Cook's) to enter and take possession of it. This battalion entered the burning plaza at 9:40 a. m. and the balance of the regiment immediately followed. A few lurking enemies, firing from behind walls, were driven out by the Montana regiment, and Company G, having a flag along, at once raised it over the Filipino capital. The Montana regiment then went into camp just north of Malolos and with the 3rd U. S. Artillery remained for several weeks, engaged in outpost duty, and making several reconnoissances in force to the north and east, to locate the enemy and ascertain its strength.

The 1st Brigade left Caloocan on March 25th with a total strength of 2,184 officers and men. With the capture of Malolos on the 31st, the brigade casualties amounted to 285 killed and wounded.

Colonel Kessler, Lieut. Col. Wallace and other officers of the regiment were mentioned

in orders as deserving of commendation for gallantry, and of the 1st Brigade, Brigadier General H. G. Otis in his official report wrote: "They have shown in an eminent degree the qualities of good soldiers, obedient to discipline, enduring in courage, in steadiness, in patriotism and magnificent order in battle."

At this stage of the Malolos campaign Brigadier General Harrison Gray Otis resigned and on April 2nd, was succeeded in command of the 1st Brigade by Brigadier General Lloyd Wheaton.

On this date a reconnoissance to the Bagbag river was made by the 3rd Battalion, (Miller's), composed of Companies A, B, F and I. The Filipinos were located on the north bank of this stream, and retreating to Malolos, General MacArthur ordered the entire regiment to reconnoiter the same territory and on April 4th at 5 A. M. the regiment started, supported by two guns of the Utah Light Artillery and one Colt's automatic gun from the gunboat Helena. The enemy was developed on the opposite bank, strongly entrenched and in large numbers. They had also partly destroyed the railroad bridge at this point. During this reconnoissance, which was highly successful in ascertaining information necessary for future military operations, the regiment suffered severely from the terrific heat. About forty were prostrated and the following casualties were sustained: Corporal Owen H. Rowlands of Company L was killed, and Principal Musician George W. Crowell, Private William J. Boast, Company G, and Private Frank M. Laudreman of Company M were wounded.

On April 13th Private Joseph A. Wright of Company B was wounded. On the 14th, 1st Lieutenant C. W. Mead, Company D, was relieved from duty and placed in command of a scouting party made up of a few intrepid spirits who preferred to penetrate the enemy's line by night, than to perform the humdrum, but safer, duties of camp life. April saw the regiment made more formidable by the issuance of a few modern Krag Jorgensen rifles. About twenty-five of the best shots of each company were furnished with the new



weapon and they thereafter contemptuously dubbed their less fortunate comrades who had to continue to use the Springfield,—“bolo-men.” The exposure of the campaign had placed Col. Kessler on the invalid list in Manila, and Col. Wallace assumed the command of the regiment.

On April 24th, the campaign having for its object the occupation of Calumpit was opened. This necessitated the crossing of the Bagbag and Calumpit rivers. The country was low, swampy and covered with almost impenetrable jungles rendering it very difficult for military operations, and the insurgents had constructed an intricate system of strong entrenchments along the rivers and thought themselves secure. General Hale, with the 2nd Brigade was sent to the eastward up the Bagbag river and crossed under a galling fire about four miles from Malolos, thence swinging down the right bank, he took the enemy's entrenchments in reverse, inflicting heavy losses. General Wheaton waited until the operations carried on by General Hale had cleared his front and then started to effect the crossing of the Bagbag. On the morning of April 25th, Wheaton moved against the enemy, with the 20th Kansas on the left and the 1st Montana on the right of the railroad. The 3rd U. S. Cavalry protected the tracks and an armored train bearing three gatling guns and one rifled six pounder, followed the infantry.

When the Kansans and Montanans had taken position along the Bagbag, the guns, mounted on flat cars, opened on the entrenchments in front. At the same time artillery with the 2nd Brigade, and on the right, opened fire. A combined infantry and artillery bombardment now began to play upon the Filipino earthworks, and a detachment of the 20th Kansas, crossing the Bagbag by means of the dismantled bridge, under the protection of the infantry fire of the Montana and Kansas regiments finally drove the enemy out of the fortifications at the further end of the bridge. At the same time the 2nd Brigade forded the Calumpit to the front and right, routed the enemy from their stronghold along

this river, and pursued them to the Rio Grande river. Setting fire to the town of Calumpit the enemy fled to the north, and the Montana regiment bivouacked for the night along the Bagbag. The movement resulted in few casualties considering the nature of the resistance offered to the advance of the Americans. Musician William Patten of Company H and Private Joseph E. Jette, Company K, were wounded and Private James Kennedy of Company K was drowned in the Bagbag river.

The Filipinos now took up their position behind formidable breastworks along the north bank of the river Rio Grande de la Pampanga, deep, swift and wide. To hold Calumpit it was necessary to dislodge the Filipino forces estimated at over 4,000 men. The task was assigned to General Wheaton and with the 1st Montana, the 20th Kansas, five 3.2 guns of the Utah Light Artillery and three machine guns, he routed the enemy from the stronghold which they boasted was impregnable. On the morning of April 26th the Kansas and Montana regiments in extended order, advanced from the Bagbag to an entrenched position about 600 yards from the Rio Grande, occupying abandoned earthworks of the enemy.

The Montana regiment was on the right of the railroad track and the 20th Kansas on the left. Only the skeleton of the railroad bridge was left. Skirmishers and sharpshooters occupied all sheltered positions along the river bank, covering the bridge within easy rifle range, and the artillery assigned to Wheaton's Brigade was so located as to cover the trenches of the enemy. Across the river the overwhelming force of Filipinos lay protected by well-constructed fortifications of earth and railroad iron. They also had four pieces of artillery. Before the attack was commenced, shallow fords below the bridge were reconnoitered, by means of which the Americans could cross when the enemy's position had been shaken by artillery and infantry fire. Throughout the 26th of April the American forces harassed the enemy with a continuous, well sustained and deadly rifle and artillery

bombardment. During this day the Montana regiment suffered the following losses:

Killed:

Company B. Sergt. Thomas G. Anderson.

Company K. Private James A. Callahan.

Wounded:

Company B. Private Andrew Davis.

Company F. Corporal Adolph M. Clay.

Company I. Private E. B. Harvey.

Company M. Sergt. James O'Leary.

A reconnoissance made by a detachment of the Kansas regiment during the night of the 26th developed the fact that the railroad bridge could be used by the men only with great danger, and that the enemy was in force within its trenches for a long distance down the Rio Grande. The bombardment was continued during the morning of the 27th. About forty men of the Kansas regiment, their advance movement protected by a smothering artillery and infantry fire that paralyzed the enemy and prevented them from looking to see where to shoot, crossed the river by means of a rope and raft and enfiladed the Filipinos in their entrenchments. By noon the fire of the enemy was all but silenced and the movement of the main body of troops across the river begun. Encumbered with their guns and ammunition only, the 1st Montana slowly crossed upon the framework of the railroad bridge, at imminent risk of being shot or of falling into the murky waters below. The 1st Brigade was soon in possession of the deserted fortifications on the north bank of the river, but at once observed that it was about to be attacked by a large force of Filipinos that was advancing in two bodies, each about 2,000 strong, one from a position about one mile and a half to the left and down the Rio Grande; the other, in front and along the railroad. Fully deployed and in extended order they confidently moved towards the assembling volunteers. Hastily deploying on the right and left of the railroad grade, the Montana and Kansas regiments attacked them, and in dismay and disorder, they soon beat a precipitate retreat towards Apalit station in the direction of Santa Tomas. The Montana regi-

ment suffered the following losses as a result of the crossing of the Rio Grande river:

Killed:

Company M. Private Charles A. Murphy.

Wounded:

Major John R. Miller.

Company B. Private James Tierney.

Company C. Private Gotlieb Molsen.

Company E. Captain Andrew Jensen.

Company F. Private Martin B. Hall; Private Frank E. Tate.

Company K. Private John Kirley; Private Robert Murphy.

During the following week the 1st Montana regiment camped at Apalit. In his official report, Brigadier General Lloyd Wheaton comments upon the very efficient services and meritorious conduct of Lieutenant Colonel Robert Bruce Wallace who commanded the 1st Montanas during this portion of the campaign owing to the sickness of Colonel Kessler. The latter resumed command at the Rio Grande.

With the rising of the sun on the morning of May 4th the pursuit of the broken and demoralized forces of Aguinaldo was resumed. The inseparable Montana and Kansas regiments continued to play a most distinguished part in the advance, moving along the railroad. The objective point was now the railroad bridge across the Malolos river. Upon approaching Santa Tomas, some five miles north of Calumpit, the Filipino forces were found once more entrenched upon the north bank, and, following their usual tactics one span of the bridge had been destroyed. With the 1st Brigade were two gatling guns and one Hotchkiss revolving cannon. These artillery pieces were at once brought into action and directed against the enemy's position. A portion of the 20th Kansas from the right, and part of the Montana regiment deployed on the left, commenced a fusillade upon the Filipino entrenchments. The enemy abandoning their position, fled, setting fire to Santo Tomas. The Montanas bivouacked here for the night, foredone by the prostrating heat and exhausted by the constant struggle through swamp and morass.

Besides many men suffering from the effects of the overpowering tropical sun, the regiment sustained the following losses:

Killed:

Company K. Private Thomas Scallon.

Wounded:

Company C. Private Fred W. Smith.

Company K. Captain Thomas S. Dillon;  
Private Bruce Belknap.

Without rations the regiment was compelled to remain inactive during the 5th, but San Fernando, the capture of which was the ultimate object of the northern movement, was taken by the 2nd Brigade (Hale's) on this date.

On May 6th, the 2nd and 3rd Battalions (Cook's) and (Miller's) made a reconnoissance to the west, returning before noon without finding any considerable body of Filipinos. The regiment then marched on into San Fernando, taking up quarters in deserted native huts that had not been burned with the evacuation of the town by the enemy. This was the most northerly point reached by the Montana regiment and here it remained until it returned to Manila and Cavite about two months later. As part of the garrison, checking the Filipino forces from conducting operations towards Malolos and the south, the regiment guarded San Fernando on the west and watched incessantly the road to Bacolor in the vicinity of which was encamped a large force of the enemy. These military duties proved arduous as there remained only 400 men fit for duty. Relieving the monotony of garrison life several reconnoissances were made into the adjacent territory. On May 7th, Companies H and K reconnoitered in search of the enemy but found no signs of the Filipino forces. On the 8th the outposts were attacked in force and Sergeant Patrick McBride of Company K was wounded. On the 17th Company L made a reconnoissance without important results. On May 19th Colonel Wallace was detailed provost-marshal, with the 1st Battalion as Provost Guard. On May 24th a spirited attack was made by the Filipinos and San Fernando was surrounded by the insur-

gent forces. The onslaught began shortly after midnight and continued until dawn. The entire regiment was turned out and the enemy was found entrenched on the west of the town. They were badly commanded and suffered a severe defeat at the hands of the Montana and Kansas regiments. Unobserved by the Filipinos, Companies A, F, G, K, E, L, C, and H crept into position on one flank and a force of Kansans stealthily occupied a position on the other flank of the enemy. Enfiladed by the fire of the Montana Volunteers, the Filipinos rushed along the entrenchment and into the rifle fire of the Kansas detachment. Many were killed and the balance fled to join their own forces at Bacolor. The Montana companies pursued them to this place, but the pace set by the insurgents was too fast, the country too rough, and the exhausted troops gave up the chase. During this attack the following men were wounded:

Company F. Corp. James C. Taylor; Private Joseph Frantzen.

Company G. George B. Raymond.

Company M. Barney O'Neil.

On June 3rd the insurgents attacked an outpost and Private Theodore Schuele, Company C, was wounded.

On June 10th, a scouting party made up of Companies D and L penetrated the country between Bacolor and Santa Rita and met with a large force of insurgents. In the skirmish, Privates Abraham Clem and William F. Kramer of Company D were wounded.

June 16th the watchfulness of Company C, then on outpost duty, prevented what might have proved a disastrous blow to the troops holding San Fernando. At dawn a cossack post consisting of Privates Owen, Kinkade and Pierstorff, under Corporal Charles J. Lisle saw a large body of Filipinos advancing and carrying white flags. Their regular formation and method of approach aroused the suspicions of the Americans who mistrusted the apparently friendly "Amigos." Bent on ascertaining the nature of their intentions, a shot was fired over their heads to bring them to a halt. At once the Filipino band of at



least 200 men drew their Mausers which they were carrying in concealed positions and which in the twilight were not readily observable and opened a rapid fire upon the Montana men. Their premeditated attack, instead of producing consternation among the members of Company C, was met by a severe fire from the rapidly formed regiment and they sustained a loss of over 150 killed. Under orders from the division commander the dead were buried in one plot in the cemetery of San Fernando as an object lesson to the insurgents. In this attack the Montana Volunteers met with the following losses:

Wounded:

Company A. Sergt. George W. Boardman.

Company C. Private Warren Morris.

Company D. Sergt. James W. Dennis.

Company E. Private Charles Robb.

Company M. Private David Silver, who died on the same day.

The Montana regiment after the arduous and exacting duties imposed upon it during the campaign that opened with the attack on Manila February 4th and concluded with the final skirmish of June 16th at San Fernando, was decimated in ranks and physically unable longer to continue active duty on the firing line. As early as May 22nd and later, on June 5th, attention to this condition was called to the corps commander by General MacArthur and the chief surgeon of the 8th Army Corps. That it was serious is attested by the following statement taken from the report of General MacArthur to the commanding general and by him forwarded to the adjutant general at Washington on June 23rd:

"The duty required of the men of this brigade, in common with the other commands of the division, has been severe and continuous since the 4th of February of the current year. The sun, field rations, physical exertion, and the abnormal excitement arising from almost constant exposure to fire action, have operated to bring about a general enervation from which the men do not seem to readily recover, although the present conditions are very favorable. The four regiments now present have an

enlisted strength of 3,701; of those 1,003 are sick and wounded, leaving as effective 2,698, which after deducting necessary details for special duty yields only 2,307 for the firing line, many of whom could not march five miles under the conditions which obtained from Malolos to this place.

"The physical condition of men in the organizations which originally commenced the campaign in this division, and are still at the front, has during the past month, been a matter of great concern. The difficulties are progressive and without any apparent fluctuation are growing worse from day to day.

"For four months these men have been continually under arms night and day, exposed in a relaxing climate to a scorching sun, almost as destructive and much harder to bear than the enemy's fire until, apparently, the severe, unremitting and almost unexampled strain has told upon whole organizations to such an extent that they are now completely worn out and broken in health.

"These men and the men of the companion regiments have been overworked, are broken down, and will not be fit for duty, as a regiment, within any reasonable period. It is difficult to explain, except at a length that would be unacceptable, how these physiological factors operate, but the fact remains, and here is a striking illustration of it, that commands do become worn out.

"The weakened hearts and quickened pulses indicate a condition akin to that of typhoid fever convalescence, and restoration to physical efficiency will not take place in this climate within any reasonable period, and meanwhile such men display no vital resistance to acute disease.

"This feature of the 'soldier's irritable heart' was a condition well recognized during the severe strain of the civil war, but with these men there is the additional disability of general physical prostration."

The rainy season was far advanced and further prosecution of active warfare was impossible. In this condition of affairs, on June 28, 1899, the 3rd Battalion comprising Com-

panies F, I, B and A was taken to Cavite. Companies F and I occupied the town and Companies B and A performed outpost duty at Puerta Caridad. On the 29th the rest of the regiment went into camp south of Malolos river, being relieved by the 12th United States Infantry, and on July 3rd returned to Manila. On July 6th, regimental headquarters, band and the 1st Battalion went to Cavite and relieved the California Heavy Artillery for guard duty. On July 12th the 2nd Battalion was ordered to proceed from Manila to Zapote Bridge in the vicinity of Cavite. Unremitting rains now transformed the country in the region occupied by the regiment into one vast lake, and the men were driven to higher ground at Bacoor. Here they remained until the rains subsided and July 25th they re-occupied their quarters at Cavite. Without further incident worthy to mention, regimental headquarters, band and Companies D, E, G, M, H and K boarded the U. S. Transport Zealandia, and Companies A, B, C, F, I and L, commanded by Major Miller, boarded the transport Valencia on the 18th and 19th of August. Here they lay at anchor in Manila Bay until a severe typhoon subsided and at ten o'clock on the morning of August 23rd, the ships weighed anchor and sailed for the United States. In recognition of their faithful services, their old division commander sent the following farewell message which was the last communication received on board before the departure of the regiment.

"San Fernando, August 18, 1899.

"To Colonel Kessler, 1st Montana, Cavite,

"In reply to your exceedingly agreeable message just received, my staff joins me in sending cordial greetings and God-speed to the commanding officers, officers and enlisted men of the 1st Montana Inf. We all join in the hope that all members of the regiment may realize their most sanguine expectations upon arrival home, as they have certainly earned a right to the gratitude of their state and na-

tion by their brilliant and faithful services in the Philippines.

"ARTHUR MACARTHUR,  
"Maj. Gen. U. S. V., Commanding 2nd Division, 8th Army Corps."

On September 22nd the Zealandia reached San Francisco, California, and the Valencia dropped anchor in the home port on the following day. The reception tendered the regiment by the city of San Francisco was in keeping with the reputation of that place for its spontaneous, lavish hospitality, and to it a delegation of state officials and citizens from Montana contributed with warm words of praise for the achievements of the returning volunteers. Camp was established near the Presidio and the manifold duties incident to the muster-out of the regiment speedily performed. Out of the original number of officers and men who were mustered into the service, forty-eight commissioned officers and 676 enlisted men returned. During the intervening eighteen months of service, nineteen non-commissioned officers and enlisted men had received commissions, two officers had resigned, seventeen had been discharged, one had been killed, one had died of disease and ten had been wounded in battle. Of the original enrollment of enlisted men, 277 had been discharged on account of sickness and for other reasons, twenty-one had been killed in battle or had died from wounds received, thirteen had died from disease, one had been drowned, and 121 had received wounds in action. On October 17th the muster-out of the regiment was completed and on the 19th the former volunteers, now private citizens, entrained at Oakland Mole, homeward bound and surrounded by all the comforts that an appreciative state could bestow. Enjoying the luxury of Pullman palace sleeping cars, provided by the generous citizens of Montana, they sped northward to those whom they had left behind, and on October 23, 1899, they reached the city of Butte. Here the 1st Mon-

tana Infantry was enthusiastically welcomed, and, for the last time drawn up in regimental formation, each officer and enlisted man in

recognition of his unselfish services was presented with a medal bestowed by a grateful state.

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The author also has received valued assistance from Captain D. Gay Stivers, one time captain, Troop F, third squadron, Third United States Volunteer Cavalry; Mr. A. M. Maxeiner, Mr. R. M. Ruter, and other members serving in the various Montana organizations in the Spanish-American war, who as eye-witnesses of events, have furnished narratives described in this chapter.

NOTE.—For rosters of all Montana organizations participating in the Spanish-American war and in the Insurrection in the Philippine Islands, see appendix.



## CHAPTER XXIX

### THE YELLOWSTONE PARK

Geographically, the Yellowstone Park is of Wyoming, but historically it belongs to Montana. The first regularly organized expedition to discover its marvels was composed of Montana men and to them belongs the credit of originating the idea that it be set aside as a national park.

Probably the earliest white man to see the phenomena of the Yellowstone was John Colter, a member of the Lewis and Clark expedition. Colter was a brave and faithful man and one whose achievements do not occupy the place in history which they deserve. He was a Virginian by birth. He joined Lewis and Clark at Marysville, Kentucky, in the autumn of 1803. Throughout the journey he acquitted himself with exemplary courage. He became enamoured of the wilderness and on the return of the party, just below the mouth of the Yellowstone river, on August 15, 1806, he left his companions, joined two trappers and subsequently, in his wanderings, penetrated that region which was long thereafter vaguely known, more than a myth than a reality,—as "Colter's Hell." In the Lewis and Clark journal, under date of August 15, we read:

"In the evening we were applied to by one of our men, Colter, who was desirous of joining the two trappers who had accompanied us, and who now proposed an expedition up the river, in which they were to find traps and give him a share of the profits. The offer was a very advantageous one, and, as he had always performed his duty, and his services might be dispensed with, we agreed that he might go, provided none of the rest would ask or expect a similar indulgence. To this they cheerfully answered that they wished

Colter every success and would not apply for liberty to separate before we reached St. Louis. We therefore supplied him, as did his comrades also, with powder, lead, and a variety of articles which might be useful to him, and he left us the next day."

Patrick Gass, one of the historians of the party, wrote of the incident as follows:

"Friday 15th. We had a fine, clear, pleasant morning, and continued here (Fort Mandan) all day to ascertain whether any of the chiefs would go down with us or not. They had to hold councils among themselves and we had to wait for their answers. The two hunters we left up the river came down, staid with us here, and got one of our party to join in partnership with them, and to return up the rivers Missouri and Jaune (Yellowstone) to hunt."

Just where Colter spent the winter of 1806-1807 is doubtful. He determined to return to St. Louis in the spring of 1807 and started on that danger-fraught journey, absolutely alone in a canoe built of logs. When he arrived at the mouth of the Platte river he met a trading party of the Missouri River Fur Company, headed by none other than the famous Manuel Lisa. Lisa was on his way to the sources of the Missouri river in search of the vast colonies of beaver which Lewis and Clark had reported to exist there. Lisa recognized in Colter a valuable recruit and offered him inducements so alluring that he gave up his trip home and turned westward once more.

Somewhere near the mouth of the Bighorn river, Lisa sent Colter on a solitary journey to inform the various Indians in the vicinity of his arrival and his desire to trade with

them. The hazard of this exploit and the cool-headed courage required to carry it out can scarcely be realized today,—not only the menace of hostile tribes but the presence of ferocious beasts and the perils of an unknown mountain land beset him. Brackenridge, the distinguished author and explorer, after an interview with Colter wrote:

"This man, with a pack of thirty pound weight, his gun and some ammunition, went upward of five hundred miles to the Crow nation; gave them information and proceeded from thence to several other tribes."

It is likely that Lisa instructed him to confer also with the Blackfeet at the Three Forks of the Missouri, Colter having already left, before a delegation from that nation came to assure the trader of their pacific attitude.

Colter journeyed a long way,—probably to Wind river,—before he met the Crows. Historians believe that he induced a party of these people to guide him across the mountains. It is generally acknowledged that he proceeded from Wind river to Pierre's Hole, thence over the great Wind River mountains by Union Pass and across the towering Tetons by Teton Pass.

The little band of Crows with whom Colter was traveling, was attacked by a war-party of Blackfeet, likely in Pierre's Hole. In the conflict Colter fought valiantly with his Indian escort, and was badly wounded in the leg. This encounter dismayed and alarmed the Crows, so that they hastily turned back towards their own camping grounds and left Colter to his fate. It was now impossible for him to think of treating with the Blackfeet at the Three Forks of the Missouri for he had been seen by those warriors in the fray, and his scalp would be an enviable prize. He therefore determined if possible to reach the fort where Lisa was waiting. This was no easy matter. Handicapped by a serious wound, there were still "several hundred miles" of dense forests and beetling mountains between him and his destination. He struck out, aiming to travel in as direct a route as possible. He therefore plunged into the deep

woods of the northern slope of the Teton mountains and the southern part of the Yellowstone Park. In the words of Chittenden:

"It may with difficulty be imagined what must have been his astonishment, when, emerging from the forests upon the shore of that surpassingly beautiful mountain lake near the source of the Yellowstone river, he found its shores steaming with innumerable boiling springs and geysers."

He must have fancied that he had stumbled upon a veritable inferno or that he was distraught from privation and suffering. He doubtless crossed the park region, traveling southwest to the northwest. This route would take him past Yellowstone lake, and along its outlet. If this is so he quite surely saw the cañon and the falls. He followed the Yellowstone river to the valley of the East Fork.

Upon his return to St. Louis, Colter described his journey to Wind river, across the Wind River mountains and the Tetons, and delineated accurately his strange adventures in the Yellowstone to Captain Clark, his former commander, and Brackenridge, who was preparing to start westward on a voyage of discovery in the interest of science. Captain Clark knew the character of this man, his hardihood and trustworthiness, and he, accordingly, marked upon one of the maps of the Lewis and Clark expedition "Colter's Route in 1807."<sup>1</sup>

The map, showing Colter's route, included in Dr. Elliott Coues' edition of the Lewis and Clark journal, fixes the location of his wanderings on the Stinking Water branch of the Bighorn, close to the northern boundary line of Wyoming and a distance of some one hundred and ten miles east of the Upper Geyser Basin. Nathaniel P. Langford suggests it is probable that in 1810 there may have been natural phenomena in this latter country though none exist there today. He says:

"Among the marvels of the Yellowstone

<sup>1</sup> The map here referred to which shows Colter's route in dotted lines, was published in 1814 in the Paul Allen edition of the reports of Lewis and Clark.

none are more wonderful than the powers of reproduction and the elements of rapid decay and destruction everywhere to be seen."

It would seem that the course of Colter, traced by so eminent an authority as Captain Clark from the description of Colter himself, must be given the preference. Therefore, we believe that he traveled from the "mouth of the Bighorn" to the forks of the Shoshone or Snake river where he found a great tar spring. From that point he crossed Teton Pass and Pierre's Hole valley. Journeying in a northwesterly course he reached Yellowstone lake, forded the Yellowstone river near Twin Falls and followed the Indian trail that led from the park to the valley of Clark's fork. He then returned to the forks of the Shoshone and Lisa's post.

Chittenden, in summing up Colter's journey, says:

"This very remarkable achievement—remarkable in the courage and hardihood of this lone adventurer and remarkable in its unexpected results in geographical discovery—deserves to be classed among the most celebrated performances in the history of American exploration. Colter was the first explorer of the valley of the Bighorn river; the first to cross the passes at the head of Wind river and see the headwaters of the Colorado of the West; the first to see the Teton mountains, Jackson Hole, Pierre's Hole, and the source of the Snake river; and most important of all, the first to pass through that singular region which has since become known throughout the world as the Yellowstone Wonderland. He also saw the immense tar spring at the forks of the Shoshone river, a spot which came to bear the name of 'Colter's Hell.'"

Colter had proved himself to Lisa. Accordingly, early the next spring that ambitious trader, apparently still doubtful of the good faith of the Blackfeet, sent him with one companion named Potts, to the Three Forks of the Missouri, to pave the way for friendly commerce. The white men trapped until the coming of the Indians who proved to be hos-

tile and a fight ensued during which Potts was killed. Colter made his escape. The story is one of the most thrilling adventure and though it has been many times repeated it never grows old and will bear telling again. The following account is given by John Bradbury in his "Travels in the Interior of America."

"This man came to St. Louis in May, 1810, in a small canoe, from the head waters of the Missouri, a distance of three thousand miles, which he traversed in thirty days. I saw him on his arrival, and received from him an account of his adventures after he had separated from Lewis and Clark's party: one of these, from its singularity, I shall relate. On the arrival of the party on the head waters of the Missouri, Colter, observing an appearance of abundance of beaver being there, he got permission to remain and hunt for some time, which he did in company with a man of the name of Dixon, who had traversed the immense tract of country from St. Louis to the head waters of the Missouri alone. Soon after he separated from Dixon, and trapped in company with a hunter named Potts; and aware of the hostility of the Blackfeet Indians, one of whom had been killed by Lewis, they set their traps at night, and took them up early in the morning, remaining concealed during the day. They were examining their traps early one morning, in a creek about six miles from that branch of the Missouri called Jefferson's fork, and were ascending in a canoe, when they suddenly heard a great noise, resembling the tramping of animals; but they could not ascertain the fact, as the high perpendicular banks on each side of the river impeded their view. Colter immediately pronounced it to be occasioned by Indians, and advised an instant retreat; but was accused of cowardice by Potts, who insisted that the noise was caused by buffaloes, and they proceeded on. In a few minutes afterwards their doubts were removed, by a party of Indians making their appearance on both sides of the creek, to the amount of five or six hundred, who beckoned them to come ashore. As re-



treat was now impossible, Colter turned the head of the canoe to the shore; and at the moment of its touching, an Indian seized the rifle belonging to Potts; but Colter, who is a remarkably strong man, immediately retook it, and handed it to Potts, who remained in the canoe, and on receiving it pushed off into the river. He had scarcely quitted the shore when an arrow was shot at him, and he cried out, 'Colter, I am wounded.' Colter remonstrated with him on the folly of attempting to escape, and urged him to come ashore. Instead of complying, he instantly leveled his rifle at an Indian, and shot him dead on the spot. This conduct, situated as he was, may appear to have been an act of madness; but it was doubtless the effect of sudden, but sound reasoning; for if taken alive, he must have expected to be tortured to death, according to their custom. He was instantly pierced with arrows so numerous, that, to use the language of Colter, 'he was made a riddle of.' They now seized Colter, stripped him entirely naked, and began to consult on the manner in which he should be put to death. They were first inclined to set him up as a mark to shoot at; but the chief interfered, and seizing him by the shoulder, asked him if he could run fast? Colter, who had been some time amongst the Kee-kat-sa, or Crow Indians, had in a considerable degree acquired the Blackfoot language, and was also well acquainted with Indian customs. He knew that he had now to run for his life, with the dreadful odds of five or six hundred against him, and those armed Indians; he therefore cunningly replied that he was a very bad runner, although he was considered by the hunters as remarkably swift. The chief now commanded the party to remain stationary, and led Colter out on the prairie three or four hundred yards, and released him, bidding him *to save himself if he could*. At that instant the horrid war whoop sounded in the ears of poor Colter, who, urged with the hope of preserving life, ran with a speed at which he was himself surprised. He proceeded towards the Jefferson fork, having to traverse a plain

six miles in breadth, abounding with the prickly pear, on which he was every instant treading with his naked feet. He ran nearly half way across the plain before he ventured to look over his shoulder, when he perceived that the Indians were very much scattered, and that he had gained ground to a considerable distance from the main body; but one Indian, who carried a spear, was much before all the rest, and not more than a hundred yards from him. A faint gleam of hope now cheered the heart of Colter; he derived confidence from the belief that escape was within the bounds of possibility; but that confidence was nearly being fatal to him, for he exerted himself to such a degree, that the blood gushed from his nostrils, and soon almost covered the fore part of his body. He had now arrived within a mile of the river, when he distinctly heard the appalling sound of footsteps behind him, and every instant expected to feel the spear of his pursuer. Again he turned his head, and saw the savage not twenty yards from him. Determined if possible to avoid the expected blow, he suddenly stopped, turned round, and spread out his arms. The Indian, surprised by the suddenness of the action, and perhaps at the bloody appearance of Colter, also attempted to stop; but exhausted with running, he fell whilst endeavoring to throw his spear, which stuck in the ground, and broke in his hand. Colter instantly snatched up the pointed part, with which he pinned him to the earth, and then continued his flight. The foremost of the Indians, on arriving at the place, stopped till others came up to join them, when they set up a hideous yell. Every moment of this time was improved by Colter, who, although fainting and exhausted, succeeded in gaining the skirting of the cottonwood trees, on the borders of the fork, through which he ran, and plunged into the river. Fortunately for him, a little below this place there was an island, against the upper point of which a raft of drift timber had lodged. He dived under the raft, and after several efforts, got his head above water amongst the trunks of trees, cov-

ered over with smaller wood to the depth of several feet. Scarcely had he secured himself, when the Indians arrived on the river, screeching and yelling, as Colter expressed it, 'like so many devils.' They were frequently on the raft during the day, and were seen through the chinks by Colter, who was congratulating himself on his escape, until the idea arose that they might set the raft on fire. In horrible suspense he remained until night, when hearing no more of the Indians, he dived from under the raft, and swam silently down the river to a considerable distance, when he landed, and traveled all night. Although happy in having escaped from the Indians, his situation was still dreadful; he was completely naked, under a burning sun; the soles of his feet were entirely filled with the thorns of the prickly pear; he was hungry, and had no means of killing game, although he saw abundance around him, and was at least seven days' journey from Lisa's fort, on the Bighorn branch of the *Roche Jaune* river. These were circumstances under which almost any man but an American hunter would have despaired. He arrived at the fort in seven days, having subsisted on a root much esteemed by the Indians of the Missouri, now known by naturalists as *psoralea esculenta*."

Colter finally returned to St. Louis for a visit when he met John Bradbury, the English naturalist, (to whom he related the foregoing story) Henry W. Brackenridge, the explorer and author, and renewed his friendship with his former commander Gen. William Clark.

The last time that Colter appears in history is when he met Bradbury on March 18, 1811. He was then traveling up the Missouri river with members of the Astoria Company. Bradbury urged the hardy frontiersman to join his party and Colter was torn between his love for the wilderness and his affection for his newly wedded wife who was living with him near the point where the creek of La Charette converges with the greater stream. "The Mandate of the Wild" was strong within him but at last he yielded to the gentler passion

and remained behind. So ended the career of Colter, as far as our knowledge is concerned. The daring hunter, the breaker of virgin trails, the discoverer of Yellowstone Park went down in the oblivion of a commonplace existence to an unknown grave.

General Clark who knew his integrity, Brackenridge and Bradbury accepted his startling accounts of the Yellowstone country and acknowledged him to be an explorer who had performed a great service to geography, but the public was skeptical and regarded him as a fantastic liar or a harmless lunatic whose mind was unbalanced because of too long a solitary sojourn in the wilds.

There are evidences in the Yellowstone of the presence of other white men at an early date. Col. P. W. Norris, the second superintendent of the park, discovered in 1880, the initials "J. O. R." with the date "August 19, 1819," carved into the bole of a lofty tree which stands on the west bank of the Yellowstone river about a quarter of a mile above the upper falls. Who hacked that inscription deep into the tree will never be known. Some of the great deeds of our primeval days rise to the surface on the great stream of events, while others as considerable, sink and disappear and are forever lost. There are other evidences of the trapper and adventurer in that region, so we are led to believe that at infrequent intervals men employed by the different fur companies or "free trappers," trapped and hunted there.

The next white man to behold the wonders of the park, of whom we have historical knowledge, was Joseph Meek, whose biography is ably written by Mrs. F. F. Victor in "The River of the West." Meek was in the employ of the Rocky Mountain Fur Company and was with a party under the leadership of the head partner, Capt. William Sublette. That company had decided to withdraw from the Snake river valley, where the Hudson's Bay Company held sway, and it was upon this retreat from their former field of employment that the following adventures befell Meek,

which are thus graphically narrated by Mrs. Victor:

"The country traversed by Sublette in the fall of 1829, was unknown at that period, even to the fur companies, they having kept either farther to the south or to the north. Few, if any, white men had passed through it since Lewis and Clark discovered the headwaters of the Missouri and the Snake rivers, which flow from the opposite sides of the same mountain peaks. Even the toils and hardships of passing over mountains at this season of the year, did not deprive the trapper of the enjoyment of the magnificent scenery the region afforded. Splendid views, however, could not long beguile men who had little to eat, and who had yet a long journey to accomplish in cold, and surrounded by dangers, before reaching the wintering ground.

"In November the camp left Missouri lake on the east side of the mountains, and crossed over, still northeasterly, on to the Gallatin fork of the Missouri river, passing over a very rough and broken country. They were, in fact, still in the midst of mountains, being spurs of the great Rocky range, and equally high and rugged. A particularly high mountain lay between them and the main Yellowstone river. This they had just crossed, with great fatigue and difficulty, and were resting the camp and horses for a few days on the river's bank, when the Blackfeet once more attacked them in considerable numbers. Two men were killed in this fight, and the camp thrown into confusion by the suddenness of the alarm. Captain Sublette, however, got off, with most of his men, still pursued by the Indians.

"Not so our Joe, who this time was not in luck, but was cut off from camp, alone, and had to flee to the high mountains overlooking the Yellowstone. Here was a situation for a nineteen-year-old raw recruit! Knowing that the Blackfeet were on the trail of the camp, it was death to proceed in that direction. Some other route must be taken to come up with them; the country was entirely unknown

to him; the cold severe; his mule, blanket, and gun, his only earthly possessions. On the latter he depended for food, but game was scarce; and besides, he thought the sound of his gun would frighten himself, so alone in the wilderness, swarming with stealthy foes.

"Hiding his mule in a thicket, he ascended to the mountain top to take a view of the country, and decide upon his course. And what a scene was that for the miserable boy, whose chance of meeting with his comrades again was small indeed! At his feet rolled the Yellowstone river, coursing away, through the great plain to the eastward. To the north his eye follows the windings of the Missouri, as upon a map, but playing at hide-and-seek in amongst the mountains. Looking back, he saw the River Snake stretching its serpentine length through lava plains, far away, to its junction with the Columbia. To the north, and to the south, one white mountain rose above another as far as the eye could reach. What a mighty and magnificent world it seemed to be alone in! Poor Joe succumbed to the influence of the thought, and wept.

"Having indulged in this sole remaining luxury of life, Joe picked up his resolution, and decided upon his course. To the southeast lay the Crow country, a land of plenty,—as the mountain-man regards plenty—and there he could at least live; provided the Crows permitted him to do so. Besides, he had some hopes of falling in with one of the camps, by taking that course.

"Descending the mountain to the hiding-place of his mule, by which time it was dark night, hungry and freezing, Joe still could not light a fire, for fear of revealing his whereabouts to the Indians; nor could he remain to perish with cold. Travel he must, and travel he did, going he scarcely knew whither. Looking back upon the terrors and discomforts of that night, the veteran mountaineer yet regards it as about the most miserable one of his life. When day at length broke, he had made, as well as he could estimate the distance, about thirty miles. Traveling on toward the southeast, he had crossed the Yel-



lowstone river, and, still among the mountains, was obliged to abandon his mule and accoutrements, retaining only one blanket and his gun. Neither the mule nor himself had broken fast in the last two days. Keeping a southerly course for twenty miles more, over a rough and elevated country, he came, on the evening of the third day, upon a band of mountain sheep. With what eagerness did he hasten to kill, cook and eat! Three days of fasting was, for a novice, quite sufficient to provide him with an appetite.

"Having eaten voraciously and being quite overcome with fatigue, Joe fell asleep in his blanket, and slumbered quite deeply until morning. With the morning came biting blasts from the north, that made motion necessary if not pleasant. Refreshed by sleep and food, our traveler hastened on upon his solitary way, taking with him what sheep meat he could carry, traversing the same rough and mountainous country as before. No incidents nor alarms varied the horrible and monotonous solitude of the wilderness.

"The very absence of anything to alarm was awful; for the bravest man is wretchedly nervous in the solitary presence of sublime nature. Even the veteran hunter of the mountains can never entirely divest himself of this feeling of awe, when his single soul comes face to face with God's wonderful and beautiful handiwork.

"At the close of the fourth day, Joe made his lonely camp in a deep defile of the mountains, where a little fire and some roasted mutton again comforted his inner and outer man, and another night's sleep still further refreshed his wearied frame. On the following morning, a very bleak and windy one, having breakfasted on his remaining piece of mutton, being desirous to learn something of the progress he had made, he ascended a low mountain in the neighborhood of his camp—and behold! the whole country beyond was smoking with the vapor from boiling springs, and burning with gases, issuing from small craters, each of which was emitting a sharp whistling sound.

"When the first surprise of this astonishing scene had passed, Joe began to admire its effect in an artistic point of view. The morning being clear, with a sharp frost, he thought himself reminded of the city of Pittsburg, as he had beheld it on a winter morning, a couple of years before. This, however, related only to the rising smoke and vapor; for the extent of the volcanic region was immense, reaching far out of sight. The general face of the country was smooth and rolling, being a level plain, dotted with cone-shaped mounds. On the summits of these mounds were small craters from four to eight feet in diameter. Interspersed among these, on the level plain, were larger craters, some of them from four to six miles across. Out of these craters issued blue flames and molten brimstone.

"For some minutes Joe gazed and wondered. Curious thoughts came into his head, about hell and the day of doom. With that natural tendency to reckless gayety and humorous absurdities with some temperaments are sensible of in times of great excitement, he began to soliloquize. Said he, to himself, I have been told the sun would be blown out, and the earth burnt up. If this infernal wind keeps up, I shouldn't be surprised if the sun was blown out. If the earth is not burning up over thar, then it is that place the old Methodist preacher used to threaten me with. Anyway it suits me to go and see what it's like."

"On descending to the plain described, the earth was found to have a hollow sound, and seemed threatening to break through. But Joe found the warmth of the place most delightful, after the freezing cold of the mountains, and remarked to himself again, that 'if it war hell, it war a more agreeable climate than he had been in for some time.'"

The first description of the geyser basins was written in 1842 by Warren Angus Ferris, a clerk of the American Fur Company, who visited them in 1834.

W. T. Hamilton, in his book, "My Sixty Years on the Plains," gives this interesting account of some of the old trappers' tales:

"In the year of 1839 a party of forty men started on an expedition up the Snake river. In the party were Ducharme, Louis Anderson, Jim and John Baker, Joe Power, L'Humphrie, and others. They passed Jackson's lake, catching many beaver, and crossed the Continental Divide, following down the Upper Yellowstone—Elk—rivers to the Yellowstone lake. They described accurately the lake, the hot springs, at the upper end of the lake; Steamboat springs on the south side; the lower end of the lake, Vinegar creek, and Pelican creek, where they caught large quantities of beaver and otter. They also told all about the sulphur mountain, the Yellowstone falls, and the mud geysers, and explained the relations of all these more lucidly than any map can show them. \* \* \*

"They also described a fight that they had with a large party of Piegan Indians at the lower end of the lake on the north side, and on a prairie of about half a mile in length. The trappers built a corral at the upper end of the prairie and fought desperately for two days, losing five men besides having many wounded. The trappers finally compelled the Piegans to leave, with the loss of many of their bravest warriors. After the wounded were able to travel, they took an Indian trail and struck a warm-spring creek. This they followed to the Madison river, which at that time was not known to the trappers.

"I listened with rapt attention when they described the wonderful springs at the lower basin, especially the one situated on the bank of the river called Fire Hole. It was this spring which gave the name Fire Hole Basin.

"The description of the geysers on the upper Madison river astonished all the trappers present, and Williams advised me to take notes, as he wanted to visit that section.

"Many years after I guided a party through that country and it lay as a picture before me. I used to describe in advance what we should see from day to day, and members of the party said: 'How comes it, Hamilton? You said that you had never been in this section

before, yet you go from place to place describing everything just as it is.'

"In a very few words I enlightened them, and they thought it strange that the outside world had not earlier known about that wonderful country."

Father De Smet, under date of 1852, writes of the Yellowstone in the following words:

"Near the source of the River Puante (Stinking Water, now called Shoshone), which empties into the Big Horn, and the sulphurous waters of which have probably the same medicinal qualities as the celebrated Blue Lick Springs of Kentucky, is a place called Colter's Hell—from a beaver hunter of that name. This locality is often agitated with subterranean fires. The sulphurous gases which escape in great volumes from the burning soil infect the atmosphere for several miles, and render the earth so barren that even the wild wormwood can not grow on it. The beaver-hunters have assured me that the under ground noises and explosions are often frightful.

"However, I think that the most extraordinary spot in this respect, and perhaps the most marvelous of all the northern half of this continent, is in the very heart of the Rocky mountains, between the 43rd and 45th degrees of latitude, and the 109th and 111th degrees of longitude; that is, between the sources of the Madison and the Yellowstone. It reaches more than a hundred miles. Bituminous, sulphurous and boiling springs are very numerous in it. The hot springs contain a large quantity of calcareous matter, and form hills more or less elevated, which resemble in their nature, perhaps, if not in their extent, the famous springs of Pemboukkalesi, in Asia Minor, so well described by Chandler. The earth is thrown up very high, and the influence of the elements causes it to take the most varied and the most fantastic shapes. Gas, vapor and smoke are continually escaping by a thousand openings from the base to the summit of the volcanic pile; the noise at times resembles the steam let off by a boat. Strong, subterranean explosions occur like those in 'Colter's Hell.' The

hunters and the Indians speak of it with a superstitious fear, and consider it the abode of evil spirits, that is to say, a kind of hell. Indians seldom approach it without offering some sacrifice, or, at least, without presenting the calumet of peace to the turbulent spirits, that they may be propitious. They declare that the subterranean noises proceed from the forging of warlike weapons; each eruption of the earth is, in their eyes, the result of a combat between the infernal spirits, and becomes the monument of a new victory or calamity. Near Gardiner river, a tributary of the Yellowstone, and in the vicinity of the region I have just been describing, there is a mountain of sulphur. I have this report from Captain Bridger, who is familiar with every one of these mounds, having passed thirty years of his life near them."

The "Captain" Bridger, to whom Father De Smet refers, better known as "Jim" Bridger, was the famous scout. He knew this region as early as 1830. In his wanderings he had penetrated every portion of the country now within the limits of the Yellowstone Park. Bridger was a man of lively and highly colored imagination and to the actual marvels as he had seen them, he added such embellishment as he chose. Rich in fancy and bold originality he also possessed a delightful sense of humor that rounded off the wildest of his tales with a responsive laugh. He loved to fool the "tenderfoot." The most daring flights of Baron Munchausen could not excel "old Jim Bridger's lies." Yet for all of his romancing, he nevertheless occasionally told the truth and there is no question as to his perfect knowledge of the region concerning which he fabricated so loquaciously.

Jim Bridger it was who guided Capt. W. F. Reynolds of the Corps of Topographical Engineers to the Yellowstone. Reynolds was ordered to explore the country, and accompanied by Dr. F. V. Hayden and a small company of men he set out in the spring of 1860 from Deer Creek, Wyoming. So far as discoveries were concerned the expedition was a failure. The party which had divided into two separate detachments, traveling over different routes de-

scribed a complete circle around the Upper Yellowstone without actually penetrating the region. Captain Reynolds crossed the Wind River mountains by the pass which he named Union. He proceeded northward, trying to gain the head waters of the Yellowstone river. Although it was June the snow lay in deep impassable drifts. For two days he and his men struggled to break their way forward. Two-Ocean Pass was almost directly ahead of them. At last utterly disheartened they gave up the attempt. Captain Reynolds' report appeared in 1868. He also prepared the first map of this country.

For a long period of time the fastnesses of the Yellowstone were left in unbroken solitude.

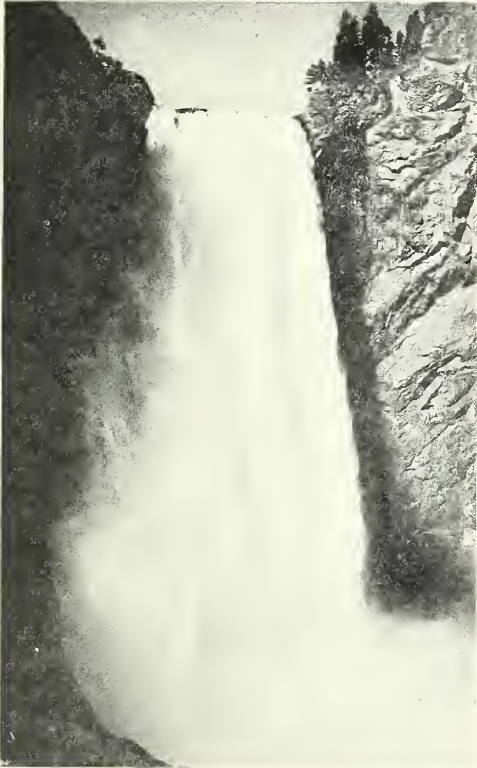
The discovery of paying quantities of gold in Montana brought a sudden rush of settlers and in the feverish and frenzied "prospecting" that followed, the territory was scoured for the precious metal. Some of these prospecting parties penetrated the Upper Yellowstone. The most important of them was the expedition led by Walter W. De Lacy. In September, 1863, he and his companions entered the district now within the park. Although De Lacy accomplished with ease what Reynolds had failed to achieve, his discoveries were of small importance, for prompted solely by the desire to discover gold fields, he and his men scarcely paused to view the geysers. De Lacy wrote some accounts of the country which appeared at a much later date.

Other prospecting parties crossed sections of the park but like De Lacy they were bent on other discoveries than natural phenomena, such as geysers, boiling pools, cañons and waterfalls.

Though the reports of the earliest travelers were listened to with incredulity by many, they, nevertheless, became current, together with Indian traditions which put that region about the geyser basins and Fire Hole river under the ban of the evil spirit. David E. Folsom and C. W. Cook became interested in these persistent rumors and resolved to seek out the storied country and either prove or forever dispel the tales concerning it. In Sep-



tember, 1869, they set out and saw sufficient to astound them. Knowing the skeptical attitude of their friends they forebode to tell all they had witnessed for fear that they, too, like the trappers and desultory adventurers before them, would be laughed at and discredited. Mr. Folsom wrote an account of his discoveries which was published in the *Chicago Western Monthly* for July, 1870. This article and the few additional facts which he was



GREAT FALLS OF THE YELLOWSTONE.

finally induced to relate gave sufficient publicity to his adventures, to arouse considerable curiosity, and was the direct cause of the organization of the Washburn expedition.

This party was under command of Gen. Henry D. Washburn, a distinguished soldier of the Union army, who was at that time surveyor-general of Montana. With him were Samuel T. Hauser, Cornelius Hedges, W. C. Gillette, Walter Trumbull, Truman C. Everts, Benjamin Stickney, Jacob Smith and N. P.

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Langford, all of Helena, Montana. In addition there were with them Lieut. Gustavus C. Doane and five cavalymen.

At that time a military escort was a wise precaution if not an actual necessity. The route lay through the country of hostile Crows who had attacked and nearly massacred the James Stuart party of 1863.

David E. Folsom furnished General Washburn a map which showed the course he had pursued, gave all the information he could to aid the explorers and suggested the advisability of setting aside this section of the country as a national park. The journal of Cornelius Hedges gives a graphic account of the journey, which was uneventful to the borders of the Yellowstone. Under date of Saturday, August 27th, he writes:

"Went down and up many steep hills, passed a little lake on our right, came out on an angular point one thousand feet above river, drove horse out on it and had splendid view of river, running green and white between steep banks of white and yellow. Out of this deep valley on the left bank at mouth of creek rose fifty or more spires of crumbling yellowish brown conglomerate stone. Descended a steep hill, crossed a large creek of cool water and camped on its bank. Made about sixteen miles today, started at once down the creek towards river to fish—trail along side deep ravine, where we caught first view of Tower Falls. At the end of trail at river, comes in another creek. At its mouth are many sulphur springs, black, white, yellow, blue,—some hot and some cold, emitting a strong tartarian smell—among them I write these lines. \* \* \* Hunters tell us that they went up five to ten miles to banks of river that seem a mile above the water and almost perpendicular—say they found a log fort in a little meadow, four logs high with port holes, years old."²

These accounts, meagre though they be, written by the early explorers, cannot fail to convey to the readers of today something of the tremendous, awe-inspiring impression created

² See Journal of Cornelius Hedges, Montana Historical Society Contributions, Vol. V, p. 376.

by the pristine view of these sublime scenes which were then of the untrodden wilderness.

The following passages are taken from the journal of Cornelius Hedges:

"Sunday, 28: Large party of us went down to explore and measure the falls. L. H. G. T. S. As beautiful as can be conceived, side walls are a dull brownish yellow with horizontal layers of dark sand stone, spires shoot upon either side of falls, of rotten conglomerate. The basin is about thirty feet across and a huge boulder lies at lower side. The air is forced out by the water with tremendous force and carries spray a long distance. About one-quarter mile below falls is the largest granite boulder I ever saw, another smaller one is perched on the brink of the falls. The break of the water is about quartering to the line of the ravine. Some climbed the sides of the ravine at the falls. Ben went to the water's edge at top of falls and let over a cord with stone to ascertain the height. This estimate agreed nearly with the angular measurement by Hauser and Langford,—one hundred and five feet. Returned to camp and found nearly all playing cards, read the *Republican* and then, as there was no prospect of moving camp I returned on our trail to Prospect Point, about one thousand feet above the river where is altogether the finest view I ever saw. Here I sit on the brink writing these lines. The mouth of the Falls creek is directly in front, from the base of this rock bounded by creek on right and river on left is a sunken tract hundreds of feet below me, filled with coarse fragments of a crumbled mountain, tall pines spring up irregularly over its surface and many lie prostrate as they bowed before the tempest fiend. On the opposite side of the river rise precipitous bluffs almost at my level and running nearly horizontal as far as I can see through the gorge. About two-thirds down the bank is another similar but more irregular layer, out from which near its upper part and opposite beautiful rapids in the river, a singular rock has slid out from this layer and looks like the grim, shaggy head of a bison. I call it Bison

Rock. The color of this bluffy bank is singular, appropriate to the name of the river its general color is yellow, from dark below growing brighter up the stream, and at the point where it descends to river becoming almost white and so continuing one-half mile up stream. The general course of the river seems from southeast with graceful curves. I see two men fishing who started from camp as I left to come up here. Away beyond bluffs on opposite bank is a bare hill, and beyond and running back in a cañon between rugged and partly pine-clad mountains seems to be the bed of another stream, perhaps east fork Yellowstone. Through an opening in these mountains I see snow-covered mountains beyond—the horizon limits the view on opposite side—to the right on some barren mountains right across the ravine through which river comes from S. E. stretches a pine-clad mountain. At my extreme right the land rises fast in barren hills, mostly pine covered at extreme right and above tops of pines, rise two peaks of more distant mountains. I thank God for creating such scenery and again for permitting my eyes to behold it."

"Wednesday, 31. All went to see falls. I went afoot and alone and have too much and too great satisfaction and delight to relate. Staid two hours in one spot below main falls, with full view and drank in inspiration."

"September 1. Up early and packed for start. I went with H. and S. to see upper falls. Took one more view of lower falls from bluff at the brink. The distance is still appalling—then climbed the bluffs to my horse. Had to stop often for breath—could find nothing of Sam and Ben. Crossed creek feeling lonely enough, but here I met Langford and Moore—left horses and descended to mouth of creek. Beautiful cascade eighty-four feet. Climbed over the bluff and went to upper falls. They are hardly visible on this side till very close to them. Descended to point below the brink and one gets the most magnificent view possible—agreeably disappointed—their beauty very different from lower falls. More broken face; water seems

to strike projections on this side about thirty feet lower—no such regular ridges of foam as at lower falls from top to bottom. Dark gray bluffs on either brink about twenty-five feet high. Rock seems harder and much darker than at lower falls. Volume of water seems greater and closer. These lines written on projecting point amid the roar, jar and spray with no mortal in sight. My heart gives thanks to God.”<sup>3</sup>

General Washburn was the first white man to climb the mountain that deservedly bears his name. From its summit he saw the lake of the Yellowstone, the real objective point

Hedges gives the following account of Everts's disappearance:

“Friday, 9. Started on trail through low divide to strike west arm lake—went very well for three miles when we struck off north and had an awful time floundering through timber—packs off, torn open—men swearing—Everts strayed off—my steed rolled down hill, turning several somersaults and coming up between two trees—everybody finding fault and all sorts of opinions where we were—came out about three o'clock in a little opening and went into camp—my steed didn't come in with the rest and L. went back with Ben and



LAKE YELLOWSTONE.

of the party, and proclaimed the glad news to his friends.

The explorers were so delighted with the lake that they determined to follow the shores around its entire circumference, in order to see it all. During this trip, which proved to be one of greater hardships than they had imagined, Everts was lost. The day before this misfortune, he and Hedges climbed a high peak at the south of the lake which the latter named Mt. Everts.

Reynolds to hunt him up. They found him two miles back standing with head up to tree, off the trail.

“All in but Everts and we felt well around the fire, made good bed of pine boughs. H. and L. played poker around the fire. Williamson went east after supper to find lake, reported route impassable, determined to go northwest.”<sup>4</sup>

They were traveling a densely timbered country, made almost impassable by windfalls and each individual was straining every nerve

<sup>3</sup> See Journal of Cornelius Hedges, Montana Historical Society Contributions, Vol. V, Pages 377, 378, 381.

<sup>4</sup> See Journal of Cornelius Hedges, Montana Historical Society Contributions, Vol. V, Pages 386, 387.



to win his way when Everts found himself separated from his companions. It was late afternoon and when darkness fell he was still alone in the forest. The next day he searched carefully for some trace of the party but the constant falling of pine needles had covered every hoof-print. Not long after, while on foot, searching in vain for the trail of his friends, his horse took fright and crashed off among the pines. Everts never saw him again. Fastened to the saddle were the unfortunate man's blankets, gun, pistols, fishing tackle, matches,—everything in short but the clothes he wore, two knives and an opera glass.

It was some time before he realized that he was actually lost in this impenetrable wilderness. Hunger assailed him, the savage howls of wolves, the infernal yelping of coyotes, all struck terror to his heart. Strange sights presented themselves to him. The following description by Everts is unique and shows how small a factor was the intruder, man, in the lives of the unfrightened creatures of the wild.

"It was mid-day when I emerged from the forest into an open space at the foot of the peninsula. A broad lake of beautiful curvature, with magnificent surroundings, lay before me, glittering in the sunbeams. It was full twelve miles in circumference. A wide belt of sand formed the margin which I was approaching, directly opposite to which, rising seemingly from the very depths of the water, towered the loftiest peak of a range of mountains apparently interminable. The ascending vapor from innumerable hot springs, and the sparkling jet of a single geyser, added the feature of novelty to one of the grandest landscapes I ever beheld. Nor was the life of the scene less noticeable than its other attractions. Large flocks of swans and other water-fowl were sporting on the quiet surface of the lake; otters in great numbers performed the most amusing aquatic evolutions; mink and beaver swam around unscared, in the most grotesque confusion. Deer, elk, and mountain sheep stared at me, manifesting more surprise than fear at my presence among

them. The adjacent forest was vocal with the songs of birds, chief of which were the chattering notes of a species of mocking bird, whose imitative efforts afforded abundant merriment. Seen under favorable circumstances, this assemblage of grandeur, beauty, and novelty would have been transporting; but, jaded with travel, famishing with hunger, and distressed with anxiety, I was in no humor for ecstacy. \* \* \*

"During the first two days, the fear of meeting with Indians gave me considerable anxiety, but, when conscious of being lost, there was nothing I so much desired as to fall in with a lodge of Bannacks or Crows. Having nothing to tempt their cupidity, they would do me no personal harm, and, with the promise of reward, would probably minister to my wants and aid my deliverance. Imagine my delight, while gazing upon the animated expanse of water, at seeing sail out from a distant point a large canoe containing a single oarsman. It was rapidly approaching the shore where I was seated. With hurried steps I paced the beach to meet it, all my energies stimulated by the assurance it gave of food, safety and restoration to friends. As I drew near to it it turned towards the shore, and oh! bitter disappointment, the object which my eager fancy had transformed into an angel of relief stalked from the water, an enormous pelican, flapped its dragon wings, as if in mockery of my sorrow, and flew to a solitary point farther up the lake. This little incident quite unmanned me. The transition from joy to grief brought with it a terrible consciousness of the horrors of my condition. But night was fast approaching, and darkness would come with it. While looking for a spot where I might repose in safety, my attention was attracted to a small green plant of so lively a hue as to form a striking contrast with deep pine foliage. For closer examination I pulled it up by the root, which was long and tapering, not unlike a radish. It was a thistle. I tasted it, and the first meal in four days was made on thistle-roots. Eureka! I had found food. No optical illusion

deceived me this time; I could subsist until I rejoined my companions. Glorious counterpoise to the wretchedness of the preceding half-hour.

"Overjoyed at this discovery, with hunger allayed, I stretched myself under a tree, upon the foliage which had partially filled a space between contiguous trunks, and fell asleep. How long I slept I know not; suddenly I was roused by a loud, shrill scream, like that of a human being in distress, poured seemingly, into the very portals of my ear. There was no mistaking that fearful voice. I had been deceived by and answered it a dozen times while threading the forest, with the belief that it was a friendly signal. It was the screech of a mountain lion, so alarmingly near as to cause every nerve to thrill with terror. To yell in return, seize with convulsive grasp the limbs of the friendly tree, and swing myself into it, was the work of a moment. Scrambling hurriedly from limb to limb, I was soon as near the top as safety would permit. The savage beast was sniffing and growling below apparently on the very spot I had just abandoned. I answered every growl with a responsive scream. Terrified at the delay and pawing of the beast, I increased my voice to its utmost volume, broke branches from the limbs, and in the impotency of fright, madly hurled them at the spot whence the continued howling proceeded.

"Failing to alarm the animal, which now began to make a circuit of the tree, as if to select a spot for springing into it, I shook, with a strength increased by terror, the slender trunk until every limb rustled with the motion. All in vain. The terrible creature pursued his walk around the tree, lashing the ground with his tail, and prolonging his howlings almost to a roar. It was too dark to see, but the movements of the lion kept me apprised of its position. Whenever I heard it on one side of the tree I speedily changed to the opposite—an exercise which, in my weakened state, I could only have performed under the impulse of terror. I would alternately sweat and thrill with horror at the thought of being

torn to pieces and devoured by this formidable monster. All my attempts to frighten it seemed unavailing. Disheartened at its persistency, and expecting every moment it would take the deadly leap, I tried to collect my thoughts, and prepare for the fatal encounter which I knew must result. Just at this moment it occurred to me that I would try silence. Claspings the trunk of the tree with both arms, I sat perfectly still. The lion, at this time ranging around, occasionally snuffling and pausing, and all the while filling the forest with the echo of his howlings, suddenly imitated my example. This silence was more terrible, if possible, than the clatter and crash of his movements through the brushwood, for now I did not know from what direction to expect his attack. Moments passed with me like hours. After a lapse of time which I cannot estimate, the beast gave a spring into the thicket and ran screaming into the forest. My deliverance was effected."<sup>5</sup>

For thirty-seven days Everts beat his way through these terrible solitudes.

"The only chance for life was lost. The last hope had fled. I seemed to feel the grim messenger who had been long pursuing me knocking at the portals of my heart as I lay down by the side of the wood pile and covered myself with limbs and sage brush, with the dreadful conviction that my struggle of life was over, and I should rise no more. The flood gates of misery seemed now to be opened, and it rushed in a living tide upon my soul. With the rapidity of lightning, I ran over every event of my life. Thoughts doubled and trebled upon me, until I saw, as if in vision, the entire past of my existence. It was all before me, as if painted with a sunbeam, and all seemingly faded like the phantoms of a vivid dream. \* \* \*

"I resumed my journey the next morning, with the belief that I should make no more fires with my lens. I must save a brand, or

<sup>5</sup> See *Thirty-seven Days of Peril*, by T. C. Everts, *Montana Historical Society Contributions*, Vol. V, pages 399-403.

perish. The day was raw and gusty; an east wind, charged with storm, penetrated my nerves with irritating keenness. After walking a few miles the storm came on, and a coldness unlike any other I had ever felt seized me. It entered all my bones. I attempted to build a fire, but could not make it burn. Seizing a brand, I stumbled blindly on, stopping within the shadow of every rock and clump to renew energy for a final conflict for life. A solemn conviction that death was near, that at each pause I made my limbs would refuse further service, and that I should sink helpless and dying in my path, overwhelmed me with terror. Amid all this tumult of the mind, I felt that I had done all that man could do. I knew that in two or three days more I could effect my deliverance, and I derived no little satisfaction from the thought that, as I now was in the broad trail, my remains would be found, and my friends relieved of doubt as to my fate. Once only the thought flashed across my mind that I should be saved, and I seemed to hear a whispered command to 'struggle on.' Groping along the side of a hill, I became suddenly sensible of a sharp reflection, as of burnished steel. Looking up, through half-closed eyes, two rough, but kindly faces met my gaze.

"Are you Mr. Everts?"

"Yes. All that is left of him."

"We have come for you."

"Who sent you?"

"Judge Lawrence and other friends."

"God bless him and them and you! I am saved!" and with these words, powerless of further effort, I fell forward into the arms of my preservers, in a state of unconsciousness. I was saved."<sup>6</sup>

Everts' rescuers were Baronet and Prichette. His companions of the expedition had searched long for him but in vain. Some had lingered seven and others twelve days on the shores of Yellowstone lake seeking him. Upon their re-

turn to Helena, Judge Lawrence and other friends of that city offered a reward to any one who might find him. In response to this Baronet and Prichette set out with the results which we have seen.

The Washburn expedition was the first to thoroughly explore the Yellowstone and to the sagacity and forethought of these brave and wise men the people of the United States owe the creation of Yellowstone National Park. Cornelius Hedges wrote in a note to his journal:

"It was at the first camp, after leaving the lower geyser basin when all were speculating which point in the region we had been through, would become most notable, that I first suggested the uniting all our efforts to get it made a national park, little dreaming that such a thing were possible."

General Washburn, the leader of the party, died on January 26, 1871, as the result of hardships endured on that memorable journey.

On the return of the party Mr. Hedges wrote a number of articles for papers and magazines describing the Yellowstone and urging its preservation as a national park. Nathaniel Langford in a series of lectures on this subject delivered in Washington and New York in January, 1871, likewise advocated the passage of an act by congress giving to the people of the United States this unique region as a great playground. Langford says:

"Hon. Wm. H. Clagett, delegate from Montana, drew the park bill and gave a copy to Senator Pomeroy, chairman of the senate committee on public lands, who introduced it in the senate; and while both of these gentlemen and Hon. Mark Dunnell and Prof. Hayden and myself did hard work in Washington for the passage of the act of dedication, no person can divide with Messrs. Hedges and Folsom the honor of originating the idea of creating the Yellowstone National Park."<sup>7</sup>

The act was passed by the second session

<sup>6</sup> See *Thirty-seven Days of Peril*, by T. C. Everts, Montana Historical Society Contributions, Vol. V, Pages 423-425.

<sup>7</sup> See *The Folsom-Cook Exploration*, by N. P. Langford, Montana Historical Society Contributions, Page 352. Vol. V.



of the forty-second congress, in March, 1872.

The Hayden expedition of 1871, headed by Dr. F. V. Hayden, U. S. geologist, and sent out by the United States Geological Survey was delegated by the government to explore the Yellowstone. The reports of Dr. Hayden and his interest and influence did much to effect the passage of the National Park Bill.

The most dramatic chapter in the history of the Yellowstone is the Indian campaign of 1877, when General Howard and General Gibbon were in pursuit of Chief Joseph and his braves. We have seen what the grievances of these Indians were and the chain of events which precipitated hostilities. To Gen. O. O. Howard was assigned the difficult task of placing and holding them on the land apportioned to them by the government as a reservation.

They submitted peacefully enough it seemed, until, in a sudden uprising they killed twenty white settlers. Military forces assumed command on June 13, 1877. During the following month three battles took place between the opposing forces. After that the Nez Percés struck out over the mountains to the Judith basin.

General Gibbon with a command drawn from Fort Benton, Fort Shaw and Fort Missoula, reinforced with volunteer Montana citizens, was ordered to pursue the fleeing Nez Percés. We have already read of the tragical battle of the Big Hole which was the result. After this encounter Chief Joseph turned toward the east, and crossed by way of Henry lake back into Montana. General Gibbon followed close in his wake and a second battle was fought near Camas creek.

On August 23rd just as the Nez Percés had taken leave, General Howard arrived at Henry lake. His men were exhausted from long, forced marches and he was therefore compelled to halt for several days. The Indians traveled on to Targhee Pass, entered the Yellowstone Park on the night of August 23rd, and camped on the Fire Hole river. On August 24th Joseph led his army to the Yellowstone river near the mud geyser.

As Chief Joseph and his band entered the park, General Sherman and his party were just leaving it. There were, besides, at this time within the Yellowstone, two other companies of tourists, the Cowan party from Radersburg and the Weikert party from Helena.

The Cowan party had left Radersburg on August 6, 1877. Besides Mr. and Mrs. G. F. Cowan there were R. J. Arnold and Mr. Dingie of Helena, Charles Mann of Radersburg. Mrs. Cowan's brother and sister, the latter a child of twelve years. They traveled from Radersburg to Three Forks, thence to Ennis and Henry lake and entered the park region via Targhee Pass. They camped on the Madison river at the mouth of the cañon, then at the junction of the Gibbon and Fire Hole rivers, and the next day's journey brought them to the lower geyser basin. On the day following they established a permanent camp near Fountain Geyser, where they took many short trips to different points of interest. The party divided and some went to the cañon, falls and Yellowstone lake, and the others spent five days in the upper basin. A very, merry, light-hearted crowd they were, on pleasure bent, whiling the hours away with mirth and song and with never a shadow of apprehension or thought of the horrors which were to come.

On Thursday, the 23rd, the friends all met at the "home camp" and compared notes on their several adventures. That day they met General Sherman and his escort who had entered the park by way of the Mammoth Hot Springs. From him the Cowans received the first alarming tidings of the Big Hole battle and the flight of the Nez Percés under Chief Joseph. The whereabouts and the destination of the Indians were alike unknown. Mrs. Cowan writes that "the general's party assured us we would be perfectly safe if we would remain in the basin as the Indians would never come into the park."

The Cowans stayed in camp and were joined by an old man named Shively who was camped half a mile from them. The news of the Nez Percés raid had disturbed

the sight-seers. They knew that it was likely they should meet the Indians before they reached home. However, their tour of the park was done, and they resolved to set out for civilization with all possible speed. That evening as they sat around the campfire, Mrs. Cowan's brother and Al Oldham essayed to revive the drooping spirits of the crowd by impersonating brigands and dancing and singing in the ruddy ember-glow. Mrs. Cowan writes:

"We probably would not have been so serene, had we known that the larger part of the audience consisted of the Indians, who were lurking out in the darkness, watching and probably enjoying the fun. Such was really the fact, as they informed us later, designating Oldham as Big Chief. The advance party of Indians had come into the basin early in the evening. Before morning the entire Indian encampment was within a mile of us, and we had not heard an unusual sound, though I for one slept lightly."

Next morning, the 24th, several Indians appeared at the camp, professed to be friendly and ate voraciously. Others came. In the words of Mrs. Cowan: "By this time twenty or thirty Indians were about the camp and more coming. The woods seemed full of them." A line of timber was between the Cowans and Joseph's main camp.

The men of the Cowan party proceeded to take down their tents, hastily loaded the wagons and saddled the horses for immediate, if not precipitate departure. The Indians became bold in their demands for sugar and flour. One of the party acquiesced, but was stopped by Cowan, who ordered the Indians away and consequently incurred their enmity.

The little band was practically without ammunition and therefore defenseless. Moreover, the odds were six white men to several hundred Indians.

With an escort of forty or fifty Nez Percés they struck out on the home trail. More Indians joined them. They met the "Squaw Camp" as they were journeying up the Fire Hole river in the direction of Mary's lake.

They proceeded for about one mile when a sudden halt was called by the Indians. When this occurred they were within a few hundred yards of the place where the road entered the timber and continued up the hill. Mrs. Cowan describes the scene that followed in these words:

"One of the Indians seated on a horse near Mr. Cowan, who was also on horseback, raised his hand and voice, apparently giving some commands, for immediately forty or fifty Indians came out of the line of timber, where they had evidently been in ambush. \* \* \* Another Indian, addressing Mr. Cowan and pointing to the Indian who had given the command, said in good English, 'Him Joseph.' And this was our introduction to that chief. Every Indian carried splendid guns with belts full of cartridges. As the morning sunshine glinted on the polished surface of the gun barrels a regiment of soldiers could not have looked more formidable. We were told to backtrack, which we did. \* \* \* The Indians pretended all this while to be our very good friends, saying that if they should let us go, bad Indians, as they termed them, would kill us."

Reluctantly the Cowans retraced their steps, left their camp of the morning to the right and for two miles traveled towards Mary's lake. Fallen timber prevented the vehicles going farther, so the party mounted horses and watched the Nez Percés, first pilage, then smash the wagons. Mrs. Cowan states that despite the fact that the Indians expected a conflict at any instant with the Bannack advance scouts of General Howard, who were under command of Fisher, they were, nevertheless, light-hearted and confident. One young buck sportively tied several yards of pink mosquito netting, confiscated from the Cowans' goods, to his horse's tail and "an ugly old Indian" helping himself to a handsome strip of swansdown,—a trophy from Henry's lake,—used it for a head dress. Grotesquely humorous was all this,—from the Indian view point, at least.

A few days later Fisher's detachment found

the wrecked wagons and rescued Charles Mann who had escaped with a bullet hole through his hat.

When the Cowan party and their Indian guard halted for the midday meal, Poker Joe, who acted as interpreter and who seems to have been truly their friend, advised them if they would give up their horses and saddles for ponies that would serve the purpose of taking them home, they would be suffered to go on their way unmolested. In exchange for their horses, which were in excellent condition, they received worn out mounts that had been all but ridden to death. In the following passage Mrs. Cowan summarizes the actual cause which drove Joseph to take his desperate stand and which subjected innocent victims like herself to the vengeance of the maddened Indians:

"It occurs to me at this writing that the above mode of trading is a fair reflection of the lesson taught by the whites. For instance, a tribe of Indians are located on a reservation. Gold is discovered thereon by some prospector. A stampede follows. The strong arm of government alone prevents the avaricious pale face from possessing himself of the land forthwith. Soon negotiations are pending with as little delay as a few yards of red tape will admit. A treaty is signed, the strip ceded to the government and opened to settlers, and 'Lo, the poor Indian' finds himself on a tract a few degrees more arid, a little less desirable than his former home. The Indian has few rights the average white settler feels bound to respect."

Poker Joe mounted Cowan's horse, shouted orders to the camp which set the squaws in motion, then told the white captives that they might go. They lost no time in obeying him. At this juncture Dingee and Arnold escaped into the timber. The Cowans had gone about half a mile when they discovered that they were followed. The Indians came up and explained that the chief wished to see them again. Once more they turned back, passed the place where they had camped at noon and thence up to higher wooded hills. In a few

striking words Mrs. Cowan's sketches the wild scene:

"Indians on every side,—twenty or thirty of them. Their gaiety of the morning was lacking, the silence seemed ominous. The pallor of my husband's face told me he thought our danger great."

The following dramatic episode is quoted *verbatim* from Mrs. Cowan's narrative:

"Suddenly, without warning, shots rang out. Two Indians came dashing down the trail in front of us. My husband was getting off his horse. I wondered for what reason. I soon knew, for he fell as soon as he reached the ground—fell headlong down the hill. Shots followed and Indian yells, and all was confusion. In less time than it takes me to tell it, I was off my horse and by my husband's side, where he lay against a fallen pine tree. I heard my sister's screams and called to her. She came and crouched by me, as I knelt by his side. I saw he was wounded in the leg above the knee, and by the way the blood spurted out I feared an artery had been severed. He asked for water. I dared not leave him to get it, even had it been near. I think we both glanced up the hill at the same moment, for he said, 'keep quiet. It won't last long.' That thought had flashed through my mind also. Every gun of the whole party of Indians was leveled on us three. I shall never forget the picture, which left an impression that years cannot efface. The holes in those gun barrels looked as big as saucers.

"I gave it only a glance, for my attention was drawn to something near at hand. A pressure on my shoulder was drawing me away from my husband. Looking back and up over my shoulder, I saw an Indian with an immense navy pistol trying to get a shot at my husband's head. Wrenching my arm from his grasp, I leaned over my husband, only to be roughly drawn aside. Another Indian stepped up, a pistol shot rang out, my husband's head fell back, and a red stream trickled down his face from beneath his hat. The warm sunshine, the smell of blood, the horror of it all, a faint remembrance of seeing rocks thrown



at his head, my sister's screams, a sick faint feeling, and all was blank.

"Of the others of the party, all had run for the brush, including my brother. An Indian followed him and was about to fire, when Frank for a reason best known to himself, made the sign of the cross. The Indian immediately lowered his gun and told my brother to follow him. No other attempt was made on his life. He saw me ahead of him several times, fastened with a strap behind an Indian. He did not dare to make a point of getting near enough to speak. He was helping to drive the horses. We had overtaken the squaw camp. We afterwards learned that the chiefs, suspecting mischief from a few lawless Indians, had sent back Poker Joe to prevent further trouble.

"After coming to my senses my first recollection was of a great variety of noises—hoot-ing, yelling, neighing of horses—all jumbled together. For a while it seemed afar off. I became conscious finally that someone was calling my name, and I tried to answer. Presently my brother rode close beside me. He told me later that I looked years older and that I was ghastly white. He tried to comfort me and said the Indians had told him no further harm should befall us. It seemed to me the assurance had come too late. I could see nothing but my husband's dead face with the blood upon it. I remember Frank's telling me my sister was safe, but it seemed not to impress me much at the time.

"The Indians soon learned that my brother was familiar with the trail, and he was sent forward. Finally, at dusk we came to quite a valley, which had already begun to glow with campfires, though many were not lighted until some time later. The Indian who was leading my horse—for I had been allowed to ride alone after recovering consciousness, the Indian retaining a grip on the bridle—threaded his way past numerous campfires and finally stopped near one. As if by a pre-arranged plan someone came to the horse, enveloped in a blanket. Until he spoke I thought it to be an Indian, and I was clasped in the arms of

my brother. Tears then, the first in all these dreary hours, came to my relief. He led me to the fire and spoke to an Indian seated there, who, I was told was Chief Joseph. He did not speak, but motioned me to sit down. Frank spread a blanket on the ground, and I sank down on it, thoroughly exhausted. A number of squaws about the fire were getting supper. My first question had been for my sister. I was told she was at Poker Joe's camp, some little distance away, together with the old man Shively, who was captured the evening before we were. I was told I could see her in the morning, and with this assurance I had to be satisfied. Food was offered me, but I could not eat.

"My brother tried to converse with Chief Joseph, but without avail. The chief sat by the fire, sombre and silent, foreseeing in his gloomy meditations possibly the unhappy ending of his campaign. The 'noble red man' we read of was more nearly impersonated in this Indian than in any I have ever met. Grave and dignified, he looked a chief.

"A squaw sat down near me with a babe in her arms. My brother, wishing to conciliate them, I suppose, lifted it up and placed it on my lap. I glanced at the chief and saw the glimmer of a smile on his face, showing that he had heart beneath the stony exterior. The squaw was all smiles, showing her white teeth. Seeing that I was crying, the squaw seemed troubled and said to my brother, 'Why cry?' He told her my husband had been killed that day. She replied, 'She heartsick.' I was, indeed.

"The Indians were without tepees, which had been abandoned on their flight from the Big Hole fight, but pieces of canvas were stretched over a pole or bush, thus affording some protection from the cold night air. My brother and I sat out a weary vigil by the dying embers of the campfire, sadly wondering what the coming day would bring forth. The Indian who had befriended him told him we should be liberated and sent home. But they had assured us a safe retreat the day previous and had not kept faith. Near morn-

ing, rain began falling. A squaw arose, replenished the fire, and then came and spread a piece of canvas over my shoulders to keep off the dampness.

"At dawn, fires were lighted, and soon all was activity, and breakfast under way. Poker Joe came up and offered to take me to my sister. Frank was told to remain at the camp for the present, and I clasped his hand, not knowing if I should see him again.

"Only a short distance away, which I would have walked gladly the night before, I found my sister. Such a forlorn looking child I trust I may never again see. She threw herself into my arms in a very paroxysm of joy. She seemed not to be quite certain that I was alive, even though she had been told. Mr. Shively, the old man before referred to, was at this camp, and I was as glad to see him as though I had known him always. During the forenoon the Indians had captured a soldier, a deserter evidently. He told them of the Helena tourists camped near the Falls, the number of the men and horses. In fording, we observed that five warriors were with the party. It was composed chiefly of the squaw camp, and we concluded the warriors had retraced their steps to attack the Helena party. Why they were not attacked until the next noon we could only conjecture.

"A council was being held. We were seated in the shade of some trees watching proceedings. Six or seven Indians—the only ones who seemed to be in camp at the time—sat in a circle and passed a long pipe one to another. Each took a few whiffs of smoke, and then one by one they arose and spoke. Poker Joe interpreted for us. Presently he said the Indians had decided to let my sister and me go, together with the soldier who had been captured that morning, but would hold my brother and Shively for guides. I had not been favorably impressed with the soldier. Intuition told me he was not trustworthy, and I refused to go unless my brother was also released. This caused another discussion, but they agreed to it, and preparations were made for our departure. We clasped hands sadly with our

good friend Shively, promising to deliver some messages to friends in Philipsburg should we escape. His eyes were dim with tears. In reality, I considered his chances of escape better than our own, and so told him. The Indians needed him for a guide. 'We may be intercepted by the warriors out of the camp,' I said. 'No,' he replied, 'something tells me you will get out safely.'"

The faithful Poker Joe conducted the captives a half a mile on their way, pointed out the trail and admonished them to ride "All Night, All Day, No Sleep" adding that they should reach Bozeman on the second day. They traveled under cover of darkness fearing treachery. The next day they met a detachment of soldiers from the command of Lieutenant Schofield from Fort Ellis. The soldier captured by Joseph had deserted from this company. Mrs. Cowan and the rest of the party were conducted in safety to Mammoth Hot Springs. From that point they went to Bozeman where she learned that her husband whom she believed to be dead, was alive and with General Howard's command. Shively escaped after ten days or two weeks of captivity.

The Weikert party, composed of Andrew Weikert, Professor Richard Dietrich, Fred Pfister and Joe Roberts, left Helena for the Yellowstone Park on August 13, 1877. They reached Mammoth Hot Springs on August 20th, where they were joined by Duncan, Wilkie, and Ben Stone, a colored cook. They enjoyed the many sights of the park and their trip was unmarred by ill-luck of any kind until the 25th when they "spied a moving caravan which caused alarm." They were then in the vicinity of Alum Creek. They concluded to reconnoiter and find out if the caravan in question were tourists like themselves or not. To their consternation they discovered that the cavalcade consisted of about three hundred Indians. Weikert rightly conjectured that if they were hostile, they were none other than Chief Joseph's band.

The Indians went peaceably on their way, and the Weikert party, though uneasy, be-

lieved they had escaped harm. The night passed without disturbance. The next morning Weikert determined to do a little scouting to see if the Indians had moved camp. If all were favorable the party wanted to make Yellowstone lake by evening. Wilkie volunteered to accompany him. They rode past Sulphur Mountain, found the fresh trail of Indians, concluded that they were safe and started back to camp. They saw an Indian pony about a mile away and spent some time trying to catch it with a rope. It proved to be a lively colt and as they could neither lead nor drive it, they went on their way. After they had gone a quarter of a mile into the timber they were attacked. Weikert's Journal gives this spirited account of the fight:

"They were under the hill lying behind a log—on the trail, so that we did not see them until we got within about seventy-five feet of them. I was riding ahead when I saw them raise up their heads from behind the log. I knew I did not want to go any farther in that direction, and told Wilkie there were Indians ahead and wheeled my horse, and at the same time was getting my gun up ready to fire, but on looking back, saw half a dozen guns leveled at me, so I played 'Injun' on it; made myself as small as I could, with my gun across my knees. Bang! Bang! Bang! then zip! zip! zip! went the balls, but none struck me that time. I was perfectly cool and self-possessed, but will own up that my hair was standing on end when I first saw them. My horse had made a few more jumps, when bang they went again. This time they were a little more successful, for they cut a crease in my shoulder blade about four inches long; did not break a bone, but splintered my shoulder bone a little. And another ball took a piece out of my gun stock. I then began hugging my horse still closer, if such a thing was possible, when they gave us another volley. By this time we were out of range, but the balls flew past thick and fast and we could hear them strike the trees. Now for a race! I suppose that they had their horses close at hand, but they did not mount them just then. Just at this time

my horse tripped his foot and fell and came near turning a somersault. I went sprawling on the ground directly in front of him of course. My first thought was that the horse was shot and my only chance would be to get behind a tree and turn my old repeater loose on the redskins. My horse, as soon as he got balanced on his head right well, fell back on his feet again, and by that time I was on my feet with the reins in one hand, which I had pulled over his head in the fall, and still held my gun in the other. My shoulder was paining considerably, but I did not have long to remain there, for the 'reds' were running up on me again to get another shot at me. I up and let them have one from my repeater, and you ought to have seen them dodge. I did this all in a few seconds, and my horse was on his feet again ready to start. I just put my hand on the horn of the saddle and made a bound into it and was off. I was going to take another shot at the noble redmen, but a limb caught me under the ear while I was looking back and took my hat off. Of course it is useless to say I did not stop to pick it up. Oh no! I could do without a hat very well at this stage of the game. When I looked back at the reds they were standing with their mouths open; surprised I presume, at my speedy departure. Wilkie had gotten considerably ahead of me by this time, but I soon made up for lost time. We got back on the prairie again on Alum Creek in the valley, then back in the timber again. The Indians did not follow us; we rode as far as we could, then took it afoot, for the under-brush was so thick that we could hardly get our horses through while we were afoot. After we got into the timber quite a way, we halted to take breath and to see what damage was done. Wilkie asked me if I was hurt; I told him judging from the hole in my shirt on the right shoulder, and the way the blood was running in my boot, I thought that there must be a scratch at least. We examined it and bound it up the best we could. Wilkie being a safe distance from the Indians did not get hurt."

Meantime the camp had been attacked. The



description that follows is also from Weikert's Journal:

"They gave the boys a complete surprise. Ben Stone (colored) was kindling the fire to get dinner and the rest of the boys were lying around taking their ease when the Indians first fired on them. The darkey thought it was Wilkie and I firing at them to scare them, so Stone called out for us to stop our foolishness for we might hurt somebody, and 'you can't scare us.' But when the second volley

about four hours. The Indians did not see him, so he made his escape after they (the Indians), had left the camp. Roberts and Foller did some tall running, according to their own account, while the Indians were blazing away at them at almost every jump, and finally got away all safe. They struck out for Virginia City which was about one hundred and fifty miles. The first night they camped in the timber, they lay down beside a big log. One of the boys had a coat on and the other hadn't so the one with the coat had to lie on the outside. They traveled the next day; they were getting pretty hungry, so they tried fishing. Caught two little fishes. They built a fire and roasted one; the other they saved for another meal. Those two fishes were all they had to eat for nearly three days. They met some soldiers in the afternoon of the third day; they got what they wanted to eat and got enough to last them to Virginia. When they arrived there, they were nearly exhausted, and their feet were sore. They stayed a couple of days, then got on the coach and struck out for Helena. Duncan lit out from the camp like a scared wolf, and got where the timber was thickest and stayed until dark, prospected around the trail, then struck out for the Mammoth Hot Springs. Stewart and Kenck did not fare so well. The Indians followed them up and shot Stewart in the side and in the calf of the leg. He fell. Then they followed Kenck up until they killed him. Shot him through the body; one ball struck him in the back of the neck and broke it. I suppose it killed him instantly. They rifled his pockets, then came back and were going to kill Stewart. He begged them to spare his life; they asked him if he had any money. They rolled him over and took two hundred and sixty dollars and a silver watch, then they had a big medicine talk. I suppose they were discussing whether they should let him live or not, but after a time they told him he could live. So they left him; he dragged himself down to the creek and washed his wound. And by that time the Indians had all they wanted at the camp and were ready to start. After Stewart



THE CANYON.

came, he began to look around and saw the rest of the boys were taking to the brush. He thought it was high time for him to be off himself. Pfister and Dietrich jumped over an embankment and started for the Yellowstone river. Pfister jumped the creek at or near the camp, but Dietrich was not so fortunate but fell in, and it happened to be in a hole so he lay quite still. The grass was high on either side. He stayed in the water for

got through washing his wound, he looked up and saw his mare coming toward him. He called her and she came up; he got a halter and put it on her and then led her to a log and crawled onto her. Before this time he had to keep a forty-foot rope on her to catch her. He rode her about one mile, but his wound pained him so that he had to get off her. About this time Stone came hobbling along. He was afflicted with rheumatism anyway, and lying in the water so long had done him no good."

At this juncture Weikert and Wilkie returned to find the camp deserted and the possessions of the party scattered about in chaotic confusion. Fearing another attack they hastily picked up what provisions they could find and started for Mammoth Hot Springs, a distance of fifty miles. After they reached the prairie they saw two men ahead of them who proved to be Stewart and Ben Stone. The journey was tedious and painful for the wounded men, Weikert and Stewart. When they were within two miles of the Springs they met a man bound for the mountains to warn some prospecting parties that Joseph and his band were headed that way. From him they learned that Pfister had arrived at the Springs, also Mrs. Cowan, and Ida and Frank Carpenter who had been taken prisoners two days before but were finally released. They reached Mammoth Hot Springs at six A. M., making the fifty miles in thirteen hours. The wounds of Weikert and Stewart were dressed by an English physician which gave them some relief, but Weikert could not sleep nor rest in his anxiety for his missing friends.

About that time Duncan, a member of the party, arrived and informed him that Dietrich was two miles away lying on the trail completely prostrated. Weikert saddled two horses, one for Dietrich and one for himself. He brought the exhausted man to the Springs, and it seemed that the great peril of the preceding day and night was past.

Weikert believed that Roberts and Foller had either been killed or were still wandering blindly through the wilderness. He waited

for them until noon. They did not come. He struck out horseback once more and traveled eight miles back on the trail where he could command a view of four miles more of open country. There was not a trace of the missing men. He was distressed with anxiety and determined to try to find some one to return with him and make a more thorough search. Most of those able to move had already started for Bozeman. He waited until morning but no one offered to accompany him on the desperate errand. He had made up his mind to wait until evening and go back alone under cover of darkness. However, Jim McCartney, one of the owners of the Springs, who was a daring frontiersman, offered to go with him if he would wait until next day. They struck out together, Dietrich, Stewart and Stone remaining behind. That same day an ambulance was coming for Stewart. As Weikert and McCartney started, the latter called out to Dietrich to look out for his hair (scalp). Dietrich replied jestingly, addressing Weikert:

"Andy, you will give me a decent burial, won't you?"

That day a band of Indians came down the river. As they approached the Springs, Dietrich was a mile from the house picketing a horse. A man named Stoner warned him and advised him to "take to the brush." He did so. About noon the following day he came back in search of food. The Indians were absent on a horse-stealing expedition but returned before he could escape again. Weikert writes:

"When they got to the Springs Dietrich was there and they shot him down like a dog; put three bullets through him, one entering his heart. He was lying just off the steps when the soldiers came up, and his body was still warm."

Weikert kept his promise, uttered in jest and fulfilled in sorrow. He gave Dietrich a "decent burial" also Kenck, whose body he and McCartney found.

These two brave men had a narrow escape. They encountered and were attacked by the Indians in a desperate fight at short range.



Weikert's horse was shot down under him and McCartney's bucked him off, then ran away, so they were left afoot.

They suffered many hardships. Weikert's wound was paining him and he was nearly exhausted when "a man raised up in the sage brush." He proved to be a guard. They had come to a camp of soldiers and were saved. Later Weikert learned that Foller and Roberts had made good their escape and were alive and well in Virginia City.

Meantime on August 24th Joseph led his army to the Yellowstone river near the Mud Geyser. They rested there one day then took up their march, forded the river, gained the lake and proceeded along the Pelican creek trail to the Lamar river valley in the north-eastern extremity of the park. Chief Joseph left the Yellowstone by Miller creek in order to avoid a colony of miners at Cooke City.

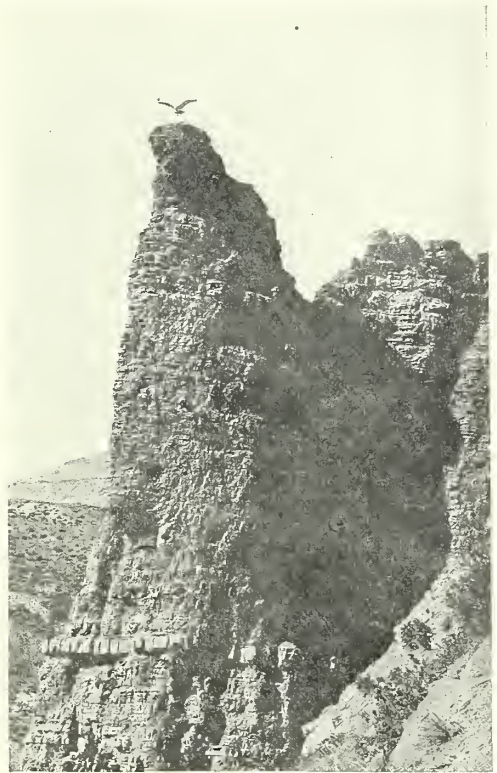
General Howard followed close on the trail of the Indians. He pursued them to the ford where they crossed the Yellowstone but at this point his route diverged from theirs. He marched down the river on the left bank to Baronett's bridge. This had been badly damaged by the Nez Percés. From that point the troops hurried on to the valleys of Lamar and Soda Butte, thence over the divide to Clark's Fork valley, thus missing Joseph's band.

General Sturges and his command were guarding the Absaroka range, having entrenched themselves in one of the passes, but the wily Joseph outwitted them, slipping through another unguarded pass. Sturges met the Indians as they crossed the Yellowstone on September 12th. A brief engagement followed and the Nez Percés headed for the north. It is not our purpose to reiterate the details of this campaign. The actual story of that bloody warfare belongs to another chapter.

Having glanced at the history of the Yellowstone, we shall now consider its physical features.

The Yellowstone National Park takes its name from the Yellowstone river which flows through it. The river was so called from the

color of its rocky bed. The great walls of the cañon abound in a brilliant blending of yellow hues. The early voyageurs all refer to this peculiar characteristic and it had been observed many years before by the Indians who called the stream, *Mi tsi a da zi* or Rock Yellow river.<sup>8</sup> The first French Canadian trappers translated the Minnetaree words into their native tongue and it became known among them as *Roche Jaune* and *Pierre Jaune*. We have seen in this chapter Patrick Gass's reference to the *Jaune* river, so it was called in the time of Lewis and Clark by its French



EAGLE NEST ROCK, GARDINER CANYON.

name. Later, in the reaction of sentiment, caused by the Louisiana Purchase, when more English speaking people moved west, the French names were supplanted by English equivalents and the *Roche Jaune* became the

<sup>8</sup> See "The Yellowstone National Park." H. M. Chittenden, chap. I, page 5.



Yellow Stone and later still was contracted into the Yellowstone.

The Yellowstone National Park is situated upon a high plateau of the Rocky mountains, about the sources of the Yellowstone and Madison rivers in northwestern Wyoming, with a small section overlapping the boundary lines of Montana and Idaho. It is 17,600 square miles or 2,142,720 acres in extent. Within these narrow limits are some of the greatest geysers in the world, the largest lake of its altitude and a cañon famous for its depth, its coloring and the majesty of its falls. There are greater lakes at lower levels, there

lies along the Gardiner cañon, bounded by sheer rock-walls that rise in jagged pallisades. In the bed of the cañon flows a cold, green stream, the Gardiner river, churned into foaming cascades on the rocks. Upon the flat top of a tall pinnacle is an eagle's nest with the mother-bird circling overhead, and by the road-side sleek little woodchucks sit and stare at the coaches as they pass. Feeding in a glade where grass grows lush and high is a herd of antelope who do not stir from their rich pasture. Already the spell of the wilderness is felt and seen and heard. The wild, free roar of the river, the eagle drifting serenely against the



MINERVA TERRACE, MAMMOTH HOT SPRINGS.

are gorges of vaster proportions and falls of mightier volume and height but to seek them out one must journey far and then find them singly and alone. In the Yellowstone nature has grouped together this series of strangely diversified and beautiful phenomena, all within the circumscribed limits of one little mountain-girded park.

The official entrance to the park is marked by a lava arch and one cannot but look upon it as more than an ordinary gate; it seems rather the entrance to a region of enchantment, like the fairy-land of childhood, where miracles were wrought and the commonplace of cause and effect left far behind. The road

blue sky and that intangible something which is neither seen nor heard, but which thrills every fiber of one's being, all hint of mighty solitudes. These little beaten paths hewn out by human hands have scarcely disturbed the wilds that lie around them. We know that yonder in the dim, violet distances native creatures rove at will and it is easy to fancy how a few years ago the fateful Indian lurked in the shadow of rock and tree.

We shall consider the different places of interest in the order in which they are seen by the traveler of today.

This road through Gardiner cañon winds onward and upward to Mammoth Hot Springs.

The barracks and other buildings of the military station are there, and in ruins upon a hill-top is the weather-beaten shell of old Fort Yellowstone where such gallant stands were made in the past by the little garrison. Ahead, to the left, curiously terraced and giving forth steam, is a strange, white and pinkish hill. This is the first glimpse of the Mammoth Hot Springs which are remarkable when one explores their azure and turquoise bowls and the marvelous formation so delicately modeled and colored. One may stand upon the dead shell of past activities and see the gray-white deposit built up by the action of the water

beneath one's footfall, stands a rock, tall, almost mushroom shaped, bearing the name of "Liberty Cap" from its fancied resemblance to the head-dress of the soldiers of the Revolution. It is curious to speculate how this boulder has withstood the process of disintegration which has worn away so much of the stratum of which it is formed.

About a mile distant from the springs is the buffalo corral where a part of the Yellowstone herd is kept. Some of the largest buffalo in captivity are there and the government warden in charge tells with pride of how the herd had been reared from the original eight-



THE GOLDEN GATE.

through uncounted ages, and farther on, upon the same hill there is the live portion with brilliant tints and boiling blue waters that go shimmering downward in steaming rivulets, streaking the alabaster white with salmon hue. This combination of defunct with active "terraces," as the formation is called, shows that the force beneath is ever changing and as one spot becomes cold another quickens with new life. There are many successive "terraces," named Minerva, Venus, Jupiter, Cleopatra, etc., all similar in form but of different sizes and varying in color. Resting on the chalky surface of an inactive portion of the hill, which gives out a hollow muffled sound

een head with which he began several years ago, to a goodly band.

From Mammoth Hot Springs the road leads through a veritable valley of death known by the commonplace and characterless name of the "Hoodooos." Here the trees have died and turned silver gray, heaps of boulders, grotesquely shaped, lie scattered broadcast and they, too, are of the same spectral gray. In some spots stagnant sulphurous pools surround the trunks of the ghostly trees and one sees evidence of the gradual devastation which has resulted from the encroachment of the deadly waters. This dismal swamp leads to a natural gateway in the mountains called Silver Gate,



thence the road ascends a precipitous grade and enters a narrow cleft between towering heights and awesome depths. Indeed, the roadway, in some places hewn from the rock-walls, in others artificially built out over the gorge, is a tribute to the skill and tireless energy of the government engineers. Here midway between the roaring waters that foam and cascade in the shadow far below, and the delicate turrets embossed with lichen and painted fantastically by the action of the elements, man feels the presence of a greater power and something of awe tempers his admiration of the noble scene. The walls of

fumes, lie by the wayside and with them comes the gray-white deposit streaked with yellow, seen so frequently throughout the park.

Here, as at Mammoth Hot Springs, the present activity is continually contrasted with similar, or greater eruptions of the past. One passes Roaring mountain, whose sides steam and smoke with energy that suggests imminent disaster; then journeying onward one reaches what remains of Obsidian cliff, at once a marvel of prehistoric volcanic fires and an evidence of the vandalism of man. This cliff rose sheer to an immense height and its smooth black surface of volcanic glass was a treasure



THE CASTLE GEYSER.

this precipice, which form the second gateway called Golden Gate, look more like ruined brick-work than rock. By a curious erosion the dark red steps seem blocked out in the shape of brick and over this hang wonderful tapestries of yellow and green moss, now almost hiding the walls beneath, then disclosing them in all their mellow beauty. The fanciful observer may trace out resemblances to feudal castle and donjon keep, so fantastically has nature builded this strange pile far from the little edifices of man.

Almost from this point the evidences of quiescent volcanic action appear. Sulphurous pools whose murky waters give forth foul

of the park. Travelers who saw it ten or fifteen years ago spoke of it as one of the wonders of a region whose heritage of the marvelous is great. A splendid sight it must have been, rising sheer, smooth and black, its perfect facets glinting off the sunrays like a huge black diamond. But in rebuilding the road this cliff which had stood right bravely the onslaught of steel and dynamite, was purposely ignited and allowed to burn until Obsidian cliff became merely a name and a memory. Among the rough, overhanging rocks there are streaks as black as jet and along the road are pure pieces of it which predatory tourists delight to take away as



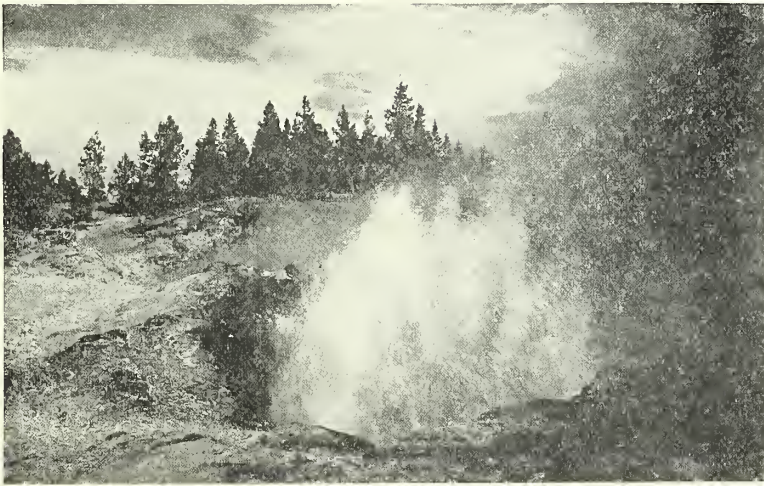
souvenirs. Upon that highway one literally travels a road of glass but it is not pleasant to think that the sight-seers of today are treading upon and helping to obliterate forever a landmark at once noble and unique.

Across the way from Obsidian cliff and at no great distance from it are Twin lakes, two intensely blue, lily-grown bodies of water, and Beaver lake, where whole colonies of beavers build elaborate dams in security and peace.

Penetrating deeper into the heart of the country the diabolical and the divine walk hand in hand; the most perfect, palpable demonstration of Biblical hell fire exists beside beauty

deep gash in the earth which marks the crater of Excelsior, probably the greatest geyser of the world. Only twice has this Excelsior been known to play, but on those two occasions so vast was its volume and so mighty its force that bridges were swept away; a river's course changed and huge boulders heaved up and cast about as pebbles in a giant's grip.

Only a little way ahead are a series of pools gorgeous with all the peacock hues but of a beauty strangely inauspicious, like that of a bright-scaled snake or a poison flower. They lie limpid and serene, great jewels set deep in earth's breast and over them hangs the



NEW CRATER GEYSER.

so lofty that the human mind must ever associate it with God. This same morning's ride which takes one through Golden Gate leads past Roaring mountain and terminates by noon at Norris Geyser Basin where the first active geysers are seen.

One of the principal geysers of this basin is the Black Growler, which roars as an evil monster confined in his cave, ejecting a volume of steam with perfect regularity, the safety-valve of a power too great to comprehend. Spirals of steam rising like white plumes above the peaceful forests of evergreens mark many other geysers. But these in their activity are less awe-inspiring than a

sulphurous breath rising from their blue-hot depths. One is turquoise, another sapphire blue and most lovely of all is Iridescent pool. This has the various shades of delicate blue and silver and of deepening azure, rippling away into the eternal mystery of its heart. One sometimes sees almost this identical effect of quivering color reproduced in miniature in Japanese cloisonné when celestial blue enamel is interwoven with infinitesimal silver wires. Nearby is a smaller, colorless pool where curious tourists drop their handkerchiefs to see them disappear, then after an interval of a moment or so, return to the surface. On this whole formation geysers

played in ages past, for each of these exquisite pools, now calm and still, was once an active geyser, and though their waters are scalding hot, the motive-power which forced them into eruption has passed away or shifted and found other vents through subterranean fissures to the surface where we see them in the height of their development.

At this point one is just entering upon the region of the geysers. Next comes Midway Basin, where the Fountain and others of les-



OLD FAITHFUL IN ERUPTION.

ser volume play; here, too, are the first of the Paint Pots, great, boiling, blubbling, spluttering masses of white and terra-cotta colored mud, repulsive and evil in look and sound.

It is a coach-ride of several hours, still, over pine-fringed roads to Old Faithful Inn and to the greatest of the geyser basins. The scenery which unfolds itself along the way is magnificent. The coaches swing around narrow roads that overhang the Gibbon cañon,

where the Gibbon river falls and crashes off in churning cascades between savage banks. As the name of the cañon and river suggests, this is where General Gibbon and General Howard pursued Chief Joseph and his Nez Percés braves. It is not long before other pools and curious formations called "biscuits" appear, marking the approach to more geysers. The pools here, though much smaller, are quite as wonderful in color as those near Norris, and one, the Morning Glory, has almost the exact form and purplish-blue shading of the flower from which it takes its name. Here, also, in the Devil's Punch Bowl, a brilliantly stained red cone filled with steaming water. As we look down from a little eminence upon the basin below, it would seem that the whole region must be smoldering with unseen fire, for on all sides are wreaths and columns of steam. Close beside the unique log inn is Old Faithful geyser which has played at intervals of from sixty to sixty-five minutes since its discovery by the Washburn party. It stands somewhat apart from the "Formation" as the long, low, gray-white hill is called which is honey-combed with geyser cones. It throws a column of water over one hundred feet into the air, and above this floats its silver plume of steam. At the first evidences of eruption the water spouts up a few feet, falls, then leaps higher and higher, until with one brave bound it flings its sparkling column against the sky. The sight is fair and strange; in the distance are the deep pine forests, above is the burnished azure of the heavens and looming up, shining like a myriad of diamonds, is the gossamer texture of the geyser, waving its snowy banner in the sun. But if the sight is beautiful by day, it is fantastic and weird by night. In the deathly, pale ray of the searchlight the volume of water and steam assume curious shapes and one fancies that a host of tormented spirits, writhing and whirling in a mad rush for freedom, float upward in those clouds. Only a few short seconds does that wild dance of the phantoms last, then the column falls and the writhing ghosts vanish into thin air as the black night closes down.

On the hill are the cones of the Giant and Giantess, the Lion, Lioness and Cubs, the Sponge, the Oblong and many other geysers, while farther on and apart from the rest are the Grotto, the Castle and the Riverside. This last is situated upon the bank of the Firehole river and its graceful column, rainbow spanned, jets out across the stream and mingles with its waters. Of all the geysers except the Excelsior, the Giant is the largest. According to the computations of travelers it is nearly twice as lofty when in eruption as the Great Geyser of Iceland. The different cones have the same characteristics, for the most part, though some

comparatively few who stop to reflect that they are witnessing not only this present manifestation, but the beginning, the prime and the decline of the geyser,—the entire cycle of its existence. Professor Tyndall had said of the geysers of Iceland:

"We have, in fact, the geyser in its youth, manhood, old age and death here presented to us. In its youth, as a simple thermal spring; in its manhood, as the eruptive column; in its old age, as the tranquil Laug (pool); while its death is recorded by the ruined shaft and forsaken mounds, which testify the fact of its once active existence."



THE GIANT GEYSER.

have undergone a curious metamorphosis both by the action of the chemicals held in the waters and by the erosion of the elements. The Grotto has been serrated and worn into fantastic form and prongs of rock mark its crest. The Bee Hive, exceptionally perfect in form, is almost identically like the hives of bee farms. The Sponge is the most remarkable of all in color, contour and texture. It is tawny yellow, irregularly oblong and porous as a sponge. One might spend days and weeks studying the geysers. Even the observer who has thought little of such phenomena as this, must be impressed and wonder at the hidden cause which produces them. Still there are

In the Yellowstone as in Iceland the same laws prevail; we have the same demonstration, from the incipient spring to the cold, inactive cone, with all the gradations of energy and beauty that lie between.

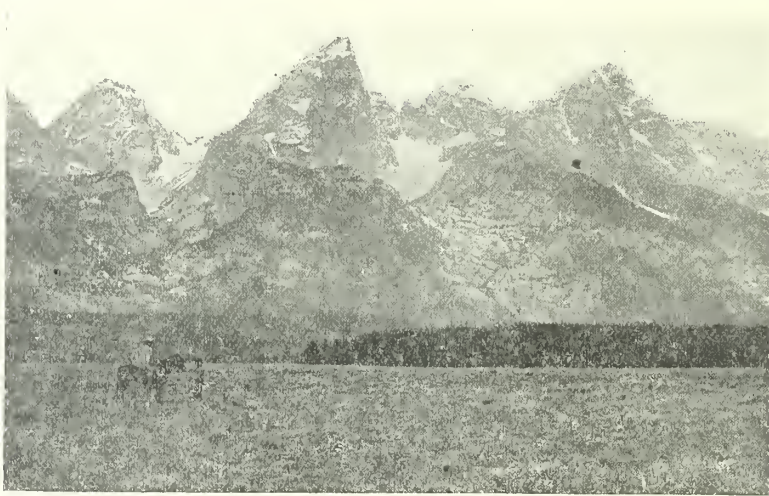
From Old Faithful and the Upper Geyser Basin the road winds upward past the beautiful Keppler's Cascade, to an elevation whence one can see the blue waters of Shoshone lake, so-called because it was a haunt of the Shoshones, Snakes or *Gens du Serpent*, with the three jagged peaks of the Tetons silhouetted against the sky. Here in this region of lofty altitudes the air is remarkable for its brilliant transparency and the eye seems to come into



more intimate contact with objects, even though they may be removed by miles of distance. So the three Tetons seen through twenty miles of sparkling atmosphere, raise their thirteen thousand feet of height, clean cut as cameos on their azure field.

The Three Tetons (breasts) are the loftiest of five noble peaks. The Grand Teton which towers above the rest is 13,691 feet high. These mountains are well named for their full, milk white breasts feed miles of valley land. Father De Smet in his life and letters describes them as "the most historically inter-

an outstretched hand, whose giant fingers are separated by snowy peaks. From the moment we float across its waters the character of the revelations before us seems to change. Hitherto we have traveled a country of majestic and often beautiful horrors, but now how placid and peaceful it seems! To be sure we find in the lake a boiling spring, upon its shores more paint pots and we have yet to see the greatest horror of all, the Mud Volcano which wrought havoc in days gone by, but these things are secondary to the lordly grandeur of the mountains, the "flowing pur-



THE THREE TETONS.

esting mountains in the United States." At the eastern base of the range over which the Tetons preside, is "Jackson's Hole," named for David Jackson, the fur-trader, a spot notorious in the annals of the west.

The ascent is very steep and the country is untamed and full of primeval grandeur. With many devious windings one comes to the Continental Divide,—the parting of the waters where the streams start on their opposite courses to the Atlantic and the Pacific.

At length, over the crests of forest-clad hills appears the calm, cerulean blue of the lake of the Yellowstone, so vast in its sweep, so intense in depth of color that it seems less like a lake than a sea. There it lies, in shape

ple" of the lake where heaven's garment seems to trail, and the cañon which lies beyond.

It would seem that within the park everything must of necessity be wonderful, so the lake, resplendent with calm beauty, smiling back the blue of the skies, flashing sunbeam for sunbeam, is nevertheless a mystery and a marvel. It lies at an elevation of about 7,721 feet and is twenty miles long, the largest body of water at that altitude in the world. It is surrounded by the jagged and pinnacled Absaroke range and wooded hills that soar into mountain chains. Mount Sheridan, a silver-white peak 10,400 feet in height, rising from the water's edge, is supposed to be an extinct volcano. Indeed, the whole of this mighty

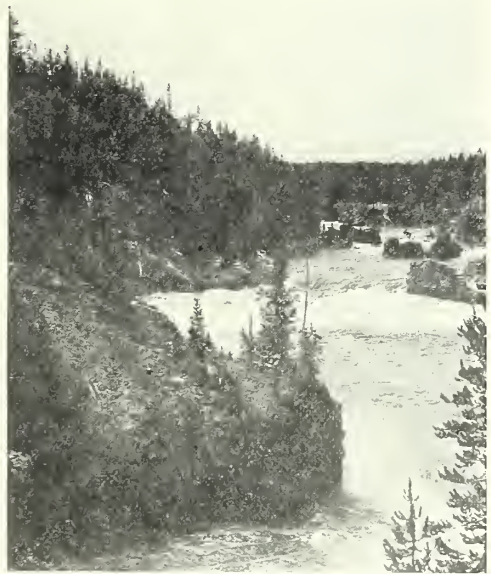
basin, now filled with water, was perhaps blasted by a great upheaval. So no matter where one turns, to the heights or the depths, there is the same impression of awful catastrophe and with it a suggestion of cataclysms as vast and readjustments as sweeping still to come.

The lake holds several small islands and upon one or more of these buffalo and other animals are found.

We cannot leave this region without returning to the serrated mountain chain which takes on such grotesque and diverse shapes. Mount Sheridan shimmers in the distance like a heap of silver and yonder among the fantastically built Absarokes is the Sleeping Giant's heroic profile, lying face to face with the sky. In this name of Absaroke or Upsaroke, we recognize the old-time country of the Crow Indians. Absaroke means sparrow-hawk of a species which is found in Mexico. This has led to the belief that these Indians migrated hither from their southern home. Others have asserted that they are so called because in their nefarious traffic, these clever thieves, continually crossed and re-crossed the mountains, then bartered on one side of the range that which they had stolen on the other.

Around the timbered shores wild animals roam with greater freedom than in other parts of the park. The bear are a very interesting study in themselves. Three varieties are found, the common black bear, the brown bear and the silver tip, a species of grizzly. The black bears run from the brown bears and the brown bears run from the silver tips who are the lords of the forests. They feed each evening at the garbage dumps back of the hotels, and there one can watch them at their antics. It is curious that they appear to have no fear of man, but they are keenly alert to watch their fellows. Long before the eye can see the huge bulk of a silver tip, the black and brown bear run to cover or climb trees, so when his majesty comes lurching out of the woods, there are none to contest his right of way. Besides the bear, whose numbers have not been estimated, there are

about 20,000 deer, 20,000 elk, 300 mountain sheep and 65 buffalo in the park. There are also timber wolves, coyotes and mountain lions who slip down in the winter time and ravage the gentler creatures. During the summer the elk remain in the timbered fastnesses, but when winter sheathes the land in ice, and the snow lies in deep drifts, they descend in huge herds toward Mammoth Hot Springs. During the past few years numbers of these



RAPIDS OF THE YELLOWSTONE JUST ABOVE  
THE FALL.

animals have starved. Their problem is at once pathetic and serious. Protected from the hunter, they are spared for a more cruel fate. So great has been their increase that there is not sufficient native food to sustain them and unless they are provided for by the government many of them must perish under the most distressing conditions.

Between the lake and the cañon is a re-



markable and hideous thing known as the Mud Volcano. In 1870 when the Washburn party visited this spot the Mud Volcano possessed terrific power. Langford speaks of it in the following words:

"The immense Mud Volcano, described in 1870 by Washburn and Hedges as one of the most wonderful features of that region, and down the outer rim of the crater of which Mr. Hedges was thrown by the explosive



THE CANYON

force of the steam \* \* \* had nearly disappeared two years later, leaving nothing but a shapeless and unsightly hole three times the size of the former crater, in which large tree tops were swaying to and fro in the gurgling mass of mud fifty feet below, the whole appearance bearing testimony to the terrible nature of the convulsion which wrought such destruction."<sup>9</sup>

<sup>9</sup> See *The Folsom-Cook Exploration*, by N. P. Langford, *Montana Historical Society Contributions*, Vol. V. Page 354.

If the geysers, jetting pure, boiling water and steam, impress one with their great and terrible power, this cavernous crater of foul-smelling, gray, boiling mud, with reeking atmosphere and slimy approach is a glimpse of the inferno itself. There are few who linger to breathe its noisome breath or to take more than one hurried glance into its tumultuous depths, yet we know that now it is in a state of comparative quiet and in times gone by it heaved up mud and ashes which spread their blight for a considerable distance and cowed the trees with a habit of monkish gray.

The road has been planned with forethought and design, with nice appreciation of values, to the climax which is reached in the cañon. It winds through mild, green glades of pastoral beauty, along the clear waters of the Yellowstone river where trout play, flashing their bright scales as they leap into the air. Drifting overhead and swimming in the stream are pelicans whose broad sweep of white wings is fringed with black. Flocks of ducks and mud-hens bask among the cattails and other water plants, and from out the fragrant valley comes the melodious call of the meadow lark. The hills roll away very gently here, with glades and parks on all sides and never a hint of the mighty declivity which sunders the mountains and precipitates the waters of the Yellowstone into the dizzy space below.

Quite suddenly one comes upon the gorge but this view is only the beginning. We follow it to where the river drops 110 feet churning its green waters into white clouds of spray, and one's heart leaps with the glory of that great river-leap, yet this is but the lesser fall. We have yet not come to the real majesty of the cañon. On and on we follow the brink to Inspiration point where the vast flood plunges 310 feet to the rock bed below whence it flows on, transformed, as if by magic, into a little, green stream flaked with white, crawling like a nimble serpent between the sheer walls of the cañon. And those walls them-



selves! How came the painted glory of them? What power laid on that crimson heart's blood, that sunset gold; what divine artist conceived the blending of this rose-petal pink with yonder ripple of sea green or that tint of violet? What master sculptor shaped those delicately wrought pinnacles that hold the eagles' nests? Those nests are so far below that the great king birds seem the size of sparrows, yet when we try to measure the space they are almost at our hand compared with the quivering distance where the river runs. Someone picks up a rock and hurls it over the brink. It disappears almost as soon as it is projected; the eagle sitting on her nest does not move; not an echo rises; it has been swallowed, consumed by space that mocks the impotent hand which would compass it. Words are as powerless to describe this sublimity as the little rock is to sound those mighty depths. One can only gaze upon it all in religious awe, and wonder how it came to be. The river,—the glinting spun glass stream, dwarfed by distance,—flowing through measureless ages, wore away stratum after stratum of rock and hewed out this mighty gorge. E. J. Stanley in his *Rambles Through Wonderland* speaks as follows of the formation of the cañon:

"Dr. Hayden's theory of this great waterfall and stupendous chasm on the Yellowstone is that the basin around it was once the scene of an immense lake, which in time became the center of great volcanic activities, erupting vast quantities of lava, which, cooling under water, took the form of basalt, volumes of volcanic ashes and fragments of rock being thrown out from time to time from the craters, forming breccia as it sank through the water and mingled with deposits from siliceous springs.

"In course of time the lake was drained away by the cutting out of the cañon. The easily-eroded breccia along the course of the river was cut deeper and deeper as ages rolled on, while springs and creeks and atmospheric agencies combined to carve the sides of the cañon into the many fantastic forms they now present, by wearing away the softer forma-

tions, leaving the hard basalt and firmer deposits made by the hot springs standing in massive columns and spiral pinnacles of many a form and shape. The original spring deposits, being white as snow, are stained by mineral waters of every imaginable tint, all blending delightfully together, which, when the bright sunlight pours down upon them, present an enchanting and bewildering view of forms and colors, causing the finest works of art to dwindle into insignificance when compared



GRAND CANON OF THE YELLOWSTONE.

with the productions of Nature's Great Artificer. The process of erosion was arrested by a sudden transition from the softer material to a ledge of hard basalt, and the falls are the result."

One visit to the cañon will not satisfy, it will merely stimulate. There is a strange hypnotic power here which is of space, of sound, of color, of imagination, if you will, that holds us under its spell. With the

water-song in our ears and the beauty-lure in our hearts we will go back at sunset when a rainbow spans the fall; when the gossamer mists hurled up from below rain down from upper air upon our brows. We shall be drawn to it when night lies purple in its heart and the moon-darts have power only to touch the water here and there with a glint of silver. We shall go back yet again in the early morning when the mystery of dawn is still on earth, and watch the rosy sun-rise incarnadine the mist, strike fire in the cold stream and steal lovingly from crag to crag in its journey downward. And still we shall turn away with a longing to come back and drink more deeply of the beauty and the wonder that is here and through the years the longing will grow until it is answered, for the thrall of the cañon is great and we cannot resist its power.

It is a beneficent thing that the American people have for their own this park of the Yellowstone and that the parent-government protects it for them, even from themselves. It is the government that has built and now maintains the excellent roads, the government that

patrols every foot of the way, shielding the animals from the hunter, saving the geysers and their formation from the initial-carving, predatory species of tourists.

The popularity of the Yellowstone park as a great national playground has far surpassed the expectations of those who first conceived the plan. Thousands of travelers find pleasure and recreation there each year and its fame is now world-wide. It is a blessed thing to play; a blessed thing to have beautiful and noble places in which to play. The American people are realizing this more keenly each year. The national park movement has grown and will continue to grow. Many regions of natural grandeur, of scientific and historical value have been created into national reserves, monuments and parks. The success of the Yellowstone has doubtless had much to do with fostering this cause. Among the newer parks there are some possessing scenery of equal or even greater sublimity but for the variety of its marvels and the wealth of its tradition and historical lore, the Yellowstone remains unrivalled and unique.

## CHAPTER XXX

### THE GLACIER NATIONAL PARK

In the northern part of Montana, 260 miles northwest of Yellowstone Park is Glacier National Park. This is one of the most marvelous mountain regions of the world. The monotonous undulations of prairie and bench land that flow away to the east are suddenly broken by a range so sharply abrupt in outline, so daringly sculptured by glacial action, as to seem more like a series of isolated peaks than a continuous mountain chain. In and among these needles of stone lie more than two hundred and fifty exquisite, deep-set lakes, eighty glaciers, and vast snow-fields, tumultuous torrents and far-leaping water falls. Such is Glacier, the newest and in some respects the most wonderful of all our National Parks.

Not until recently has this country been known outside of the Indians, whose ancient hunting ground it was, trappers who earned a precarious living in its solitudes, and a few robustly venturesome nature lovers who were stout hearted enough to brave fatigue and hardship in quest of the sublime.

Lake McDonald, the largest body of water in the park, was discovered by one Sir John McDonald, a famous Canadian statesman. He, with a party, crossed the line and blazed a trail to the shores of the lake. Strangely enough, not long thereafter, another of the same name, Duncan McDonald, son of Angus McDonald of the Hudson's Bay Company and his Selish wife, happened through these mountains with a small following of his tribe, in pursuit of some Blackfeet Indians who had spirited away a band of horses belonging to the Selish. It is needless to say that Duncan had no knowledge of the expedition of Sir John, and when the magnificent prospect of

mountain-barricaded water burst upon his view, he believed that for the first time it was revealed to mortal sight. Therefore, he blazed the name, McDonald, on the pines, even as Sir John had done, and thus it was that the first recorded parties, headed by men of the same name, united unconsciously, in giving the lake the title by which it is known.

Probably many years prior to the coming of Sir John and Duncan McDonald, the lake was frequented by the different branches of the Blackfeet nation. Indeed, it is an historical fact that the Piegan Indians crossed back and forth over a pass in the mountains near the glacier bearing their name, upon their depredations against their hereditary enemies, the Selish. But the outside world—that complex entity we name the public,—had no notion that within our own country lay a land of scenic grandeur not unlike the Swiss Alps; that from foot-stools of virgin forests soar ivory mountain steeples, holding in their deep-cleft bosoms, living glaciers and eternal fields of snow, and that in dim, twilight places the native creatures of the wilderness live untroubled, unafraid.

In the reaction of popular sentiment in favor of conservation, rather than destruction of Nature's treasures, and of interest in our own, rather than foreign wonder-places, this section came to the notice of the people of the United States largely through the efforts of Hon. Louis W. Hill, and in 1910 a bill introduced by Senator Thomas H. Carter, was passed by Congress, setting aside about 915,000 acres for a national reserve to be called the Glacier National Park. This tract has its northern extremity at the middle of the Flathead River on the Canadian border and



follows its course to the confluence of the main stream with the Middle Fork, thence along the northern bank of the Middle Fork to the holdings of the Great Northern Railway; it extends along the Great Northern right of way to the western boundary of the Blackfeet Reservation and northward, following the reservation line to Canadian territory. This large, irregular sweep of country is roughly divided into two parts by the Main Range of the Rocky Mountains and the streams that have their sources in those heights find devious ways to the Gulf of Mexico, Hudson Bay and the Pacific Ocean.

On the western slope of the mountains lies Lake McDonald, a body of water twelve miles long with an average width of a mile and a half. From the water's edge rise wonderfully wooded hills, silent with the silence of untrodden places, solemn with the solemnity of primeval beginnings, and above, beyond, soaring in white legions against the dark blue heavens are scarred and lance-sharp peaks, shimmering with eternal snow. The waters of the lake are clear and cold, for it is fed by numerous silver threads of streams and boisterous torrents that have a common origin in snow fields and glaciers. By reason of its purity, the rich variety of color in the surrounding shores and the brilliant whiteness of the atmosphere, the lake is remarkable for its reflections and its exquisite hues. When the wind is at rest and the surface of the water is untroubled by a wave, perfect pictures of sky and cloud and peak show forth as in a mirror. Again, the waters flow in a flaming tokay tide like wine fresh from the vintner's press in shades of purple and green with the tones of a deep-sea shell. When the sunset awakens in the mountains the passion of burnt out fires and paints the drifting clouds and shadowy ravines with lilac mystery, then the lake is in the height of its grandeur; then golden fleece of mist and ephemeral haze cast over it an aureole of strange, unearthly glory, of religious calm

Still farther up in the mountains, difficult of access and barricaded by formidable steeps,

are the Little St. Mary's Lakes. To gain the best view of them one must scale Mount Lincoln and from that altitude look down about 3,000 feet upon the two jade-green pools, connected by a water-fall that breaks into a diamond shape and plunges 1,700 feet from the upper to the lower lake. A sea of mountains rolls away in all directions; steep, shadowy walls encrusted with grey-white drifts of snow, rise from the water's edge and disappear within the brooding clouds. To the right lie the castellated Kootenais, and a thin, blue finger of water indicates the great Flathead Lake; to the left is Gunsight Pass which leads to the eastern slope of the range and peaks of enormous height and glacier carved grotesqueness billow away to the horizon's rim.

Avalanche Lake and Avalanche Basin are just below the Piegan (Sperry) Glacier and the waters from that vast body of ice discharge in six falls that leap from rock to rock, churned into nebulous spray, and finally unite in Avalanche Lake. This sheet of water is unlike the other mountain lakes. It is milky white with millions of air-bubbles and glacial detritus and it lies like a beautiful piece of pearl among the dark woods of its shores. The Basin itself is a deeply-hewn amphitheater and in the springtime when the first thaw begins, there is a booming like artillery among the peaks as avalanches rush down with awful force, uprooting pines and dislocating boulders in their furious descent. At the entrance to the Basin, Heaven's Peak rises blue and high, and ribbons of old gold and purple strata unwind their endless bands along the clean-cut face of riven cliffs. There the violet haze broods in greatest density and the forests are most luxuriant in their growth.

Upon the Avalanche trail the creek of the same name, a wild and tumultuous stream, has cut deep into the living rock and plunges in a turmoil of foam over a parapet, into the gorge below. The mist from the fall arises, then descends again in minute beads that glisten with prismatic hues and begem the trees and the soft, green pads of moss which cushion the banks. Among the moss and mold,

plants that thrive on moisture bud and bloom, and over the torrent, a water-ouzel, sprite-like and wild as the flood itself, darts and shrills amid the clouds of foam.

The most frequented trail from Lake McDonald, is perhaps, the one which leads to Piegan (Sperry) Glacier. It winds through luscious huckleberry fields, rippling, pebbly-bedded streams, brakes and jungles of fern and moss-hung trees, skirts the lip of heights overhanging precipices where white plumes of foam mark water falls and tall pines are dwarfed by distance into pigmy things. At length it leads into a small park gay with strange, sweet flowers, shaded with slender spires of pine and enclosed within a circle of enormous rock-walls veined with little, trickling falls. In this spot the twilight comes early and through the grey premature night vibrates a marvelous red-copper glow that seizes upon and transfigures into coral palaces, the darkly brooding peaks.

The glacier lies over the rock-barriers. Climbing upward, toiling onward, one leaves the forests, the flowers, and issues upon narrow ledges of rock, naked but for strange, disheveled and stunted growths that seem more a part of the rocks than independent plant existences. The formations become dark and slate-like in color, shivered into spikes and lances and marked with that disorder, which still tells, through the aeons, of huge convulsions and the crash of warring elements. In this somber setting, patches of snow appear whiter and more dazzling for the contrast, and sunken far down in a deep concavity is a lake, beautiful in a cold, unfamiliar way. Its shores are clasped by a pale green circle of ice and towards the center where the sun has penetrated, the water lies revealed,—a patch of blue-green shading into the black of a clear, night sky. This is Peary's lake, and higher still is another arctic pool of much the same aspect, called Nansen's lake. The two are joined by falls. Farther yet, an angry little lake, the Gem, chafes like a caged creature of the wild, its pent-up waters held in the strong grip of overshadowing moun-

tains. Here two noble peaks, stripped to their vitals and revealing exquisite stratifications, form a mighty gate-way, and stretching out far beyond is a deathly pale tide as of a frozen sea. It is Piegan (Sperry) glacier. Its surface is cleft by crevasses and over the ice is spread a mantle of snow. In the distance hosts of dark-browed mountains rise, valleys show forth between their gaps,—pastoral glimpses of quiet beauty,—and waters flash quicksilver beneath the glint of the searching sun.

"The North Fork Country," that region bordering the North Fork of the Flathead River, with its chain of lakes, Logging lake, Quartz lakes, Bowman lake and Kintla lakes, is marvelously beautiful.

The eastern slope of the Continental Divide is somewhat different in character from the western slope. It is not so heavily timbered and it has many deeply-hewn "U-shaped" basins. The largest bodies of water in this section of the park are the Great St. Mary's lakes, called by the Piegan Indians, the "Entrance, or Walled-in lakes." Their present name was given to them by Hugh Monroe, an early fur-trader, who, when he first beheld them, was so overcome by their majestic beauty, that he dropped upon his knees and called them for the Virgin Mary. It is said that in commemoration of this event he erected a cross upon the shores.

The lakes are rich in Indian lore. The Piegans believe that in their depths live the Under-Water persons, and that there the Chief of the Beavers gave to a mortal woman the sacred Beaver bundle with its thousand occult songs and rites. On the shores, beneath the shadow of Going-to-the-Sun is their land of Unhappy Souls. The Upper lake, from that portion called "the Narrows," is surrounded by magnificent and boldly sculptured peaks. Red Eagle, Divide, Almost-a-Dog, Little Chief, Fusilade, Going-to-the-Sun and other cloud-piercing pinnacles overshadow the waters of St. Mary's. There is no scene more noble than this in all the splendid pageant of the enduring hills.

The Swiftcurrent country has many exquisite lakes and glaciers. Among the lakes are McDermott, Grinnell, Blue and Iceberg. The last named is unique and beautiful. A well of blue sunk deep beneath precipitous cliffs that rise to a height of 2,500 to 3,000 feet, it is overhung by a glacier. This glacier breaks off in icebergs which float on the waters of the lake.

Farther north the Belly River and Olsen creek countries are even more ruggedly magnificent.

The highest peak in the park is Cleveland which attains an altitude of 10,438 feet.

The largest of the glaciers is the Blackfoot.

The best known of the passes are Gunsight,

delightful study for the botanist and nature lover.

There are also many edible berries; the raspberry, strawberry, huckleberry, sarvisberry, buffalo-berry, gooseberry and others.

#### ANIMALS

The silvertip, or grizzly, the brown and the black bear abound in this region. There are besides moose, elk and deer, mountain sheep and goats, lynx, mink, beaver and numerous other animals. They are protected from the hunter but with the permission of the Secretary of the Interior they may be captured. During the spring of 1913—two rangers, N. H.



THE GREAT BLACKFOOT GLACIER, GLACIER PARK.

Cut Bank, Dawson's, Two Medicine, Swift Current, Brown's, the old Piegan, Flatop and others.

#### FLOWERS

In no portion of this country are the wild flowers more exquisite. Several varieties of orchids are found, among them the delicately beautiful Calypso. It would be impossible here to enumerate or describe the multitude of blossoms that grow in this region, but among the best known are the bear grass, the trillium, the wild forget-me-not, the Indian paint brush, the wild geranium and aster, baby-breath, dog-tooth violet, shooting-star, hairbell, wild rhubarb, briar-rose, different varieties of wintergreen, hollyhock, princess pine, clematis, lupine, golden rod, columbine, gentian flower, etc., etc. The flowers of Glacier Park form a

Pearl and William Cavanaugh, caught a pair of mountain sheep lambs, one of which is thriving in captivity.

Fish abound in the lakes and streams and fishing is permitted.

#### ADMINISTRATION

The Glacier National Park is "under the control and supervision of the Secretary of the Interior, who is represented in the actual administration of the park by a superintendent assisted by a number of park rangers who patrol the reservation."

#### ACCOMMODATIONS AND TRANSPORTATION

Hon. Louis W. Hill, chairman of the Board of Directors of the Great Northern Railway, has been called "the father of Gla-



cier Park." It is a self-evident fact that he has done more than any individual to develop the park and bring it to the attention of the people of the United States.

The park is situated on the main line of the Great Northern Railway and that company owns two hotels, one at Belton, the western entrance, and the other at Glacier Park, the eastern entrance to the park, besides a series of chalet camps at Sperry Glacier Basin, Gunsight Lake, Granite Park, Two Medicine Lake, Cut Bank Creek, the lower end of Upper St. Mary's, the narrows be-

neath Going-to-the-Sun Mountain and at Lake McDermott.

On Lake McDonald there are several excellent hotels, Geduhn's at the head of the lake, Lewis's a beautifully situated place and Apgar's at the foot of the lake.

There is automobile service between Glacier park and St. Mary's and stage service from St. Mary's to McDermott and from Belton to Lake McDonald. The other trips are made on horseback, a number of licensed companies furnishing animals and guides, or afoot. Many hardy pilgrims find the greatest delight in tramping leisurely through the park.

## CHAPTER XXXI

### THE NATIONAL BISON PARK

Smaller in area than most of our national parks, but of peculiar interest and vital importance, is the National Bison Park, also situated within the boundaries of the State of Montana.

During the past few years we have come to the realization that we have been a wasteful people in the past, not wantonly so, perhaps, because the natural resources of the country appeared to be practically limitless. More thoughtlessly than viciously we have denuded the mountains of their timber, squandered the treasure of the earth, and of less economic value, but of as great sentimental interest, we have either deliberately slain the animals of the primeval woods or made impossible the conditions of their existence. The reckless extravagance of waste is having its inevitable reaction in growing conservatism among thoughtful, farseeing men and women. With newly awakened sentiment we look about us, feeling a sorrowful sense of loss never to be quite repaired, and seek to preserve that which is still left of Nature's treasure within our keep.

Under a wise administration timber reserves have been established to save the forests from utter annihilation, various portions of the country possessed of natural grandeur have been set aside as national parks, and now the final step has been taken through an act of congress for the purchase of Indian lands on which a National Bison Park will be established and a National Herd maintained. For this public service the country is indebted to the American Bison Society, an organization which has for its object the preservation of the vanishing "Monarch of the Plains." The honorary president is The-

odore Roosevelt, the honorary vice-president is His Excellency, Earl Grey; Governor General of Canada, and the active president is William T. Hornaday, director of the New York Zoölogical Park.

Often a misfortune begets a benefit. This has been true of the sale of the famous Al-lard-Pablo herd to the Canadian Government, which aroused our own people, through the consciousness of a distinct loss. Indeed, it was the reaction of public sentiment from indifference to interest, caused by this sale of the largest herd in existence, which first agitated the scheme of a bison or buffalo park, stocked with a national herd past the caprice of personal ownership and the chance of range upon Indian lands, the uncertainties of which are manifold.

It is only just to say that the sale of the Pablo herd was forced upon its owner whose ranges were upon the Flathead Indian Reservation, a district now thrown open to settlement. He tried in vain to dispose of the animals to the United States, but failing, with the loss of his range reduced merely to a matter of time, and financial ruin threatening him, he sold at last to Canada.

The Pablo herd is estimated to number 625 head of buffalo. All but ten were purchased by Canada. However, owing to their extreme wildness and the consequent difficulty of bringing them in from remote and inaccessible fastnesses where they had ranged for years, only 400 were delivered in the original shipment which took place in the autumn of 1907. At the same season during the next year, the most skilled cowboys of the Flathead country assembled to participate in an event which proved to be one of the most spectacular of late

years,— the round-up of the buffalo "outlaws." Miles of fences were built to corral and thus facilitate the capture of these animals, but the frenzied beasts, as though conscious that they were being driven from their native soil, stampeded and the greater number escaped. Once more, in 1909, the most expert horsemanship, and lariat-throwing, by expert cow-boys, failed to round-up the last, lingering renegades of the famous band. They had earned their freedom. The scattered remnant of that which was our greatest herd still roams the untrodden wilds of the Range of the Little Bitter Root. Probably if this small nucleus is unmolested and left in peace to propagate its kind, at no distant day a band rivalling that of the Bison Park proper may be bred.

Pablo started his herd in 1880 with about thirty wild buffalo saved from the ravages of slaughter on Wild Horse Island in Flathead Lake. From these the splendid band of more than six hundred was produced. Four years ago in the Yellowstone Park under a government warden, 18 buffalo were assembled. Their number has increased to 59, and among them are some of the finest specimens in existence. These figures will give some idea of what results may be expected from a herd living in an ideal environment, under skilled care and the protection of the nation.

It is well to stop for a moment and look back upon the past of the buffalo. Few of us realize the debt that civilization owes to the early hordes which roved the plains; a debt that has been repaid with wanton cruelty and death. These beasts were found roaming the wilderness as early as 1585 by Coronado; they were seen by the first settlers in the Carolinas, and towards the last of the eighteenth century they lived in a wild state in Kentucky. They were encountered by Lewis and Clark and all other early explorers who blazed the virgin trail. "The number of buffalo in the great west less than a century ago," writes one of the early chroniclers, "was roughly estimated at from ten to twenty million."

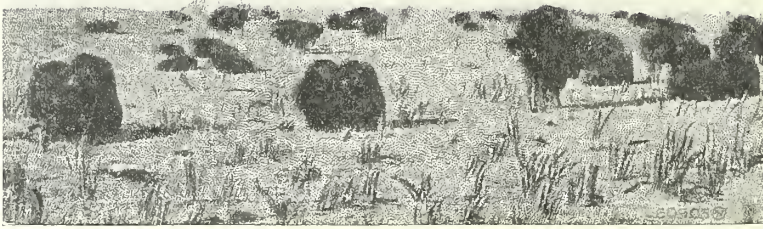
Through the '60s and '70s enormous herds numbering hundreds of thousands were seen

by the gold-seekers crossing the plains. These herds were scattered over a wide area, but the natural home of the buffalo appears to have been between the Missouri river and the Rocky mountains.

From days so remote that we have no record of them, the Indians had hunted buffalo for meat without depleting their numbers, but with the coming of the white man their doom was sounded. Vast as were these primeval herds, they must needs yield to a greed which spared neither sentiment nor life. The slaughter of the buffalo was terrible. Large numbers were killed merely for their tongues, which were considered a great delicacy, and their hides which served many practical purposes. One house in St. Louis bought two hundred and fifty thousand skins during the year 1871. It remained for the first tide of civilization to sweep the hordes away. From 1872 to 1874 millions of buffalo were killed; some for necessary food; some for commercial purposes; and not a few in the sheer wanton lust to kill,— an ugly quality which we too often gloze over with name of "Sport."

The building of the first transcontinental railroads caused the slaughter of approximately two hundred and fifty thousand beasts for the food supply of the working crews. Some authorities have even said that the construction of the line was made possible only through the then seemingly inexhaustible supply of buffalo meat. Not only did the flesh of the animals sustain life, but their hides protected workers and travellers from the keen winter blast and furnished coats and shoes impervious to the deadening cold. Finally, when trains traversed the wilderness, the tracks were lined with bleaching bones. The great, barren wastes, haunted by spectral coyote and wheeling vulture, were one vast graveyard of unburied dead. And still commerce was not done! Even these bones, the last poor reliques of a lordly kind, were shipped east by the trainload for carbon. One writer says: "Allowing forty feet for a car, \* \* \* it would make a string of cars 7,575 miles long,—enough to more than fill two tracks from New York to San Francisco."





TAKING IT EASY ON THE BUFFALO RANGE,  
FLATHEAD VALLEY.

Some idea of the terrible swiftness of the decline of the buffalo may be gained by taking the statistics of the Kansas, Pacific and Santa Fe roads, which tell us that in the year of 1874, "over ten million pounds of these bones, over one and a quarter million pounds of buffalo hides and over six hundred thousand pounds of buffalo meat" were transported to the eastern markets.

In pitiful contrast to these enormous figures we have the following census of living buffalo prepared by Mr. Hornaday on January 1, 1908. According to him there are in Montana 320. Two hundred of these are in the Pablo herd at Ronan. The remaining 80 are owned by Mr. C. E. Conrad at Kalispell. In Alberta, Canada, there are two herds numbering 465 in all. The totals are as follows:

Captive in the United States.....	1,116
Captive in Canada.....	476
Captive in Europe .....	130
Wild bison in the United States.....	25
Wild bison in Canada .....	300

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Total pure blooded bison..... 2,047

In addition to these there are in the United States 243 cattaloes, or domestic hybreds, and in Canada there are 57.

The American Bison Society generously offered to stock the park with 25 head of buffalo if the government would buy, fence and keep a tract of land suitable for breeding and maintaining a herd. A bill presented by Senator Dixon of Montana appropriating \$30,000.00 for the purchase of Indian lands, and \$10,000.00 for fencing and other improvements has passed congress and it now remains to carry out the plans.

Professor Elrod, a member of the American Bison Society, has made a careful investigation of different sections of the country favorable to the rearing of buffalo, and as a result of his report, a site has been chosen in the southwestern part of the Flathead Indian Reservation, at the junction of the Pend d'Oreille and Jocko rivers, within the bounds of the State of Montana, upon the uplands, the final

climax of which is the continental divide,—indeed, upon the very ground the old-time herds once roved. A high hill, "Quilseeh," the Selish word for "Red Sleep," rises to an imposing height about the center of the park and thence the land slopes downward in every direction. To the south it extends to the Jocko river; to the west to the Pend d'Oreille river; to the north to Mission creek, and eastward to the Mission valley. The general altitude is high and the contour of the country is uneven, its surface being cloven by deep ravines. A perpetual water supply is furnished by perennial springs and streams. The ravines or gulches are well wooded with yellow pine, tamarack and Douglas fir, and within their depths, which hold the moisture, grass grows as high as the waist of a man and "knee high upon the slopes," while springtime weaves into the green warp the gay and multi-colored pattern of wild flowers. The gulches are not only a fat grazing ground, but in winter when blizzards drive their white hosts of snow across mountain range and valley, fastening the ground in an armor of ice, which takes away at once the footing and the food of animals, the buffalo may find protection in the sheltered recesses.

From these uplands one may see the beautiful Jocko valley billowing away in gentle swells toward the horizon which is barred by the Mission mountains,—a castellated range glowing royal blue in the rarified air, until, rising upward its ultimate peaks are transfigured by chastening snow.

Nor is this country without its romance and history. Here the Flathead Indians have dwelt until encroaching civilization has beaten them back once more. Every gulch and ridge bears a name preserving at once a fragment of fading tradition in a tongue which reaches our ears in lessening whispers. Thus a ridge and gulch are known as "Inskaltesshin," a dead dragon; another ridge is "Wheewheetlchaye," Many Grizzly Bear, named for a chief of the Pend d'Oreille Indians; and so on through all the catalogue of landmarks.

The Indians feel a warm and loving interest

in the buffalo. Indeed, the history and the fate of both are strangely akin. Both in their peculiar domain were rulers of the inland continent; both were driven back and conquered by the white man, and both are now existing by the mercy of their old-time foe.

The climate of western Montana is comparatively temperate. There is a considerable snowfall during the winter, but the storms do not rage as fiercely as upon the unprotected slopes of the Rocky mountains, nor are the summers uncomfortably hot. Thus, both the physical features and the climatic conditions should be nearly ideal for the home of a national herd.

Moreover, the setting aside of this section for a buffalo park in nowise means a loss of agricultural land, for the general elevation and unevenness of the country make it impossible to irrigate, and the slopes are too extreme for "dry land farming." The abundance of bunch-grass affords excellent grazing and Professor Elrod has suggested that horses and cattle may

be pastured here to help meet the expense which the care of the herd will entail. Another advantage is nearness to the railway. Visitors leaving the train at the station of Ravalli will be only two miles from the borders of the park.

The reserve, comprising as it does, some eighteen thousand acres, will easily sustain two thousand bison, besides elk, moose, deer and such smaller animals as the nation may wish to protect.

The preservation of the buffalo is worthy of more than passing attention and it is to be hoped that public sentiment may be aroused before it is too late; that within the park may be assembled a band of such size that these ancient lords of the wilderness will survive under the care of those who wrought the destruction of their race, before they, with the ghostly Indian and the primeval forests wherein they dwelt, vanish forever beneath the veiled horizon of the eternal yesterday.



## CHAPTER XXXII

### THE INDIANS OF MONTANA AT THE PRESENT TIME—OPENING OF THE RESERVATIONS

The Indians of Montana at the present time present an interesting study. We have them treated as tribal entities on reservations, a system which has not proven to be conducive to their well being; we also have them in those sections opened to settlement, in the capacity of individual land owners and tillers of the soil struggling for independent existence.

As we have seen, the region now embraced within the state was once the hunting ground of many different tribes. The Tongue river country, the Musselshell, the Judith Basin, the Sin-yal-min, or Mission Valley, the Bitter Root and other fertile sections were all the haunts of legions of buffalo, elk and antelope and the nomadic hunter followed the drifting herds from south to north; from one favored pasture to another, to satisfy his wants. Verily it was a land of plenty. The inevitable pressure of white immigration altered conditions. By means of various treaties the Indians were persuaded or compelled, as the case might be, to cede vast tracts and to remain within certain arbitrarily fixed limits which were known as reservations. From time to time these reservations were reduced in size according to the growing demands of the white settlers. The reservation system was in many respects both degrading and disastrous to the Indian, and it had not only its faults but its crimes. In a sense it pauperized and vassalized him and he was in a great measure subject to the caprice of the Indian agent who often proved to be unworthy of his trust. Under this system in the bleak winter of 1883-84, over one-fourth of the Piegan tribe of the Blackfeet nation, then estimated to number twenty-five or twenty-six hundred, died of

starvation. There were two reasons for this; the extermination of the buffalo upon which the Indians had subsisted; and a criminally misleading report to the Indian bureau to the effect that the Blackfeet were self-supporting. The northern Cheyennes, then living along the Upper Tongue river and the Rosebud, also suffered from hunger and many of their number died of starvation. This was during 1884 and 1885. There were many other similar instances of bitter privation and death amongst the various northwestern Indians under the agency system. However, it had its advantages as well as its faults. First of all, it preserved the tribe as an entity and fostered the tribal spirit. We have nothing to offer the Indian in place of this. The iconoclast tears down the ancient tradition of a race but out of the fragments it is not easy to rebuild it "nearer to the heart's desire."

In discussing the Indian of today we shall first briefly consider the different reservations remaining, then look into the widely diverse conditions existing amongst them, try to glean something of the life of the emancipated, land-owning Indian in contrast to that of his brother of the reservations; and glance at the efforts of the government in behalf of its wards. We shall then turn our attention to the spiritual, moral and intellectual future of the redman and the methods by which it may be improved.

There are now in Montana, the Blackfeet, Fort Belknap, Fort Peck, Crow and Northern Cheyenne reservations. On July 1, 1910, there were embraced within the several Indian reservations of this state, 5,558,464 acres.

The Flathead reservation was opened for

settlement in 1910. The land which comprises it is among the most favored in Montana. It is fertile and well adapted to the growing of grain, fruit and vegetables. The climate is milder than that in most parts of the state. Sufficient time has elapsed since its opening to form some idea as to the practicability of the experiment of individual land ownership by the people. In this we leave out all that tragedy of relinquishment which was a death blow to the old folk of the tribe, and without sentiment, from a purely practical view-point we will endeavor to obtain a fair and unbiased idea of conditions today.

The following communication from H. S. Allen, chief clerk of the agency, in reply to a request from me for information, is a comprehensive statement of the material welfare of the Selish and allied tribes:

"On May 2, 1910, the Flathead Indian reservation was officially opened. The original act providing the allotment to the Indians and disposition of surplus lands was approved on April 23, 1904, but has been amended several times since. The Proclamation of the President for the opening 'to settlement and entry of certain lands within the Flathead Indian Reservation in the State of Montana, the Coeur d'Alene Indian Reservation in the State of Idaho and the Spokane Indian Reservation in the State of Washington,' was issued on May 22, 1909, and the date of entry fixed for April 1, 1910, but as all necessary preparations for the opening had not been completed by that date the opening was postponed until May 2, 1910. Registration for the lands so opened was made 'on or after July 15, and prior to and including August 5, 1909.'

"Five principal tribes constitute what is generally known as the 'Confederated Tribes of the Flathead,' these being Flathead (or Selish), Pend d'Oreille, Kalispell, Kootenai and Spokane. There are also many Indians enrolled here of Nez Percé blood, and a few Piegan, Snake, Colville and other tribes, with, some who claim Iroquois descent. The different tribes have so intermarried that it would be almost impossible to give an accurate esti-

mate of the number belonging to each tribe. More than half of the Indians now enrolled here are of mixed blood—that is, of mixed white and Indian blood. It might be of interest to know that Mrs. Chununglehe, who resides about four miles from this agency, claims to be a great-grand-daughter of explorer Clark.

"The school census for 1912 showed the enrollment of 414 Indian pupils in various schools, as follows: Carlisle, 11; Chemawa, 25; Genoa, 5; (these three are non-reservation boarding schools). Jocko Day School, 40; Mission schools, 198; Public schools, under contract, 33; Public schools, non-contract, 102.

"Our 1912 census showed 2,281 Indians enrolled on this reservation. The 1913 census has not been completed, but from figures at this time available it is estimated that it will show approximately 2,300. There are 2,457 allotments, a number of Indians having died after receiving their allotments. Mr. Tabor, project engineer of the U. S. Reclamation Service on this reservation, advises that as nearly as can be determined the area of the reservation, as it existed before opening, was 1,280,000 acres, including lake, or 1,220,000 acres excluding lake. These figures are only approximate, as parts of the reservation have not as yet been surveyed.

"In my opinion the general physical condition of the Indians here is poor. The greatest contributor to this condition has been liquor, which is also responsible for most of the crime and poverty and distress among them. Indian and intoxicating liquor do not mix. Since Supt. Morgan assumed charge here on December 1, 1908, I think the records of the Federal Court for the District of Montana will show that there have been more cases, and more convictions, for the violation of the Indian liquor laws, from this reservation than from all the other reservations in the state. It is also my impression that the totals will not only show this, but that at each and every term of court since that date the Flathead cases have been more numerous than those from all the other reservations. While not an enviable

reputation, I believe that by those who have to handle this branch of the work the Flathead is considered one of the worst reservations in the country in this respect, if not the very worst. Tuberculosis and trachoma are the most prevalent diseases, and the ones the Government is now fighting the hardest.

"The opening of the reservation, and allotment of lands in severalty, will of course have a tendency to do away with tribal ownership or property, tribal customs and tribal habits, and though such a result may not take place for a few years, yet I believe it will ultimately eliminate what I am in the habit of calling the 'real' Indian. While perhaps not as picturesque,

Indians have more acres under cultivation and are taking a greater interest in the work than ever before. The Government has provided a reimbursable appropriation, the purpose of which is to loan to deserving Indians, without interest, a sum of money which is to be used in the purchase of sufficient farming equipment to enable him to engage in that work, and quite a few of our Indians have taken advantage of this, and are making good.

"That question as to the outlook for the Indian's future is very difficult, if not almost impossible, to answer. Results are so slow and uncertain that at times one wonders if any progress at all is being made, but I believe one



MEDICINE MEN AND WOMEN RECEIVING SUN OFFERINGS AT SUN DANCE, BROWNING.

I believe individual ownership of land will eventually make the Indian a better citizen than he was under old conditions—this of course from the view point of the white man. If one were to make his first visit to Flathead I am not so sure the Indian would be considered by him successful as a farmer, for making a farmer out of him is a very slow and also a very discouraging proposition, but I have been here now for over four years, and comparing present conditions with conditions when I came, I can see that progress has been made in that direction, and this year the

must look at this work and try to ascertain what has been accomplished during a generation rather than during the year, or during a period of years. I believe I am safe in saying the individual Indian is poorer today than he was a generation ago; but I believe also that if the Indian of today had the same amount of property that the Indian of a generation ago had, a greater number of them would retain it—that those who despoiled them would find it a much more difficult task, even though whiskey and gambling make it even now a much too easy proposition in many cases.



What I mean is, that the Indian of today is, in my opinion, better able to take care of himself than was the Indian of a generation ago. The Liquor Department of the Indian Service is breaking up the illegal traffic in liquor to Indians; the Medical Department is accomplishing much from a sanitary standpoint; the Indians are slowly, very slowly, perhaps, improving their living condition, and are building larger, more comfortable, and better ventilated dwellings, and perhaps because of this the population here has slightly increased during the past two years. At the schools they are acquiring an education, learning how to farm or being fitted for some trade; but it seems to me that the greater percentage of our Indians will eventually turn to farming as a means of livelihood, and when once they do become successful in cultivating the soil I believe the Indian problem (?), in so far as the Flathead is concerned, will have been settled, for by that time the 'real' Indian, the old timer who hunted and went to war and lived the old, wild, free life, will have passed to the 'Happy Hunting Grounds.'

From the above it would seem that the Selish have benefitted by the individual rather than the tribal ownership of land, but this is largely owing to the character of the country which they inhabit. In more northern sections where the soil is lean, producing little but hay and adapted only to grazing, the division of the land into small tracts curtails the range and is therefore a hardship and detriment to the raising of cattle. The Blackfeet reservation is a striking example of this. Situated just south of parallel forty-nine degrees on the northern boundary of the state and adjoining the Canadian line, it is flanked to the west by the tremendous barrier of the main range of the Rocky mountains. Most of the area is prairie. The climate is cold and the winters long. George Bird Grinnell, who has made a careful study of the people, says:

"Crops can be grown there successfully not more than once in four or five years, and the sole products to be depended on are oats and potatoes, which are raised only by means of

irrigation. It is evident, therefore, that the Piegan tribe of the Blackfeet can never become an agricultural people. Their reservation, however, is well-adapted to stock-raising, and in past years the cattlemen from far and from near have driven their herds on to the reservation to eat the Blackfeet grass; and the remonstrances of the Indians have been entirely disregarded."

Cattle and horses are admittedly the chief sources of revenue of the Piegans. The Blackfeet entered into a treaty with the United States that was ratified by congress in May, 1887, by which they ceded a large section of land to the government, in return for which they received \$150,000 annually for ten years, and at the expiration of this period it was agreed the government support should be withdrawn. This income was considerably in excess of the immediate needs of the people and under the terms of the treaty, the surplus was invested in farming machinery, seed and especially in cattle to form the nucleus of herds. The fact that theirs was good grazing country had been demonstrated by the piratical incursions of white cattlemen, and the Indians pursuing this industry have done well. But when the range is parceled out, fenced and otherwise circumscribed, the livestock business will suffer. Therefore the opening of the reservation and the allotment of individual tracts, which has thus far proved beneficial to the Selish or Flatheads will be a hardship here. Writing of the opening of the reservation, the acting assistant commissioner states:

"The Blackfeet Reservation embraces about 1,500,000 acres of which approximately 840,000 acres have been allotted to Indians, the allotments not yet having been approved. The surplus lands are now being classified and appraised by a commission appointed for that purpose and when this work is completed the surplus lands will be disposed of pursuant to the act of March 1, 1907 (34 Stat. 1035), under the general provisions of the homestead mineral, and townsite laws, and of the reclamation act where irrigation projects are practicable. The agricultural lands are to be disposed

of at the appraised price: the mineral and coal lands at the prices fixed under the mineral and coal land laws of the United States; and the timber lands are to be sold under sealed bids at not less than five dollars per acre. The lands have been surveyed; the allotment work in the field has been completed and it is expected that the classification and appraisal work will be finished by January 1, 1913. The surplus lands may be opened during 1913."

The Blackfeet nation, composed as we have seen, in another chapter, of the Piegiens, the Bloods and the North Blackfeet, are a superior people. Physically they surpass most of the northwestern tribes. In olden days they were

people are intelligent, thrifty and law-abiding citizens.

On September 1, 1913, the Fort Peck or Poplar River Agency was opened to settlement. It is situated in the northeastern part of Montana and is bounded on the south by the Missouri river. The reservation comprises about 1,776,000 acres and is inhabited by approximately 1,222 Sioux and 642 Assiniboines. The main difficulty which these Indians have encountered in the past has been lack of water for crops and stock. This is now being overcome by a government irrigation project.

Several years ago it was estimated that there were 374 children of school age on this reser-



SUN WORSHIPPERS OUTSIDE THE SUN LODGE.

remarkable for their robust health and marvelous strength. However, the ravages of small-pox epidemics and the introduction of whisky have had their degenerating influence. Major Alexander Culbertson, the famous fur trader asserted that the Piegiens were never the same after the first great small-pox scourge which was brought up the Missouri river by the whites. At the present time the diseases most prevalent are tuberculosis, trachoma and syphilis. The whisky traffic is not so actively carried on here as on many other reservations. A large number of children are being educated at government schools and the majority of the

reservation. There is an industrial boarding school within its borders and two private schools. The average scholarship is reported to be good.

The Fort Belknap Agency, which is occupied by Gros Ventres of the Prairie and Assiniboines, is in central Montana between the Milk river on the north and the Little Rocky mountains on the south. The northern portion of the reservation is very bleak and naturally arid but on the slopes of the Little Rocky mountains there is good bottom land.

The Indians on the reservation number about 1,300, the Gros Ventres of the Prairie and the Assiniboines being about equally rep-

resented. Until a comparatively short time ago they were in a deplorable condition, but, in 1895 they began to till the soil and raise their own crops of hay, grain and vegetables. They also raise cattle and stock.

About 200 children attend the government and the contract school.

There is no authority at the present time for the opening of these lands.

The Crow reservation is more favored than most of the country occupied by the tribes in Montana. It lies to the south of the Yellowstone river and nearly two thousand Indians live upon it. The agency is on the Little Big Horn. The Crows are fairly good farmers and considerable land is cultivated by them. They also have cattle and ponies. Physically they

some white ranchers within its borders. This is an unfortunate condition and is detrimental to the interests of both races. The land is not adapted to farming but is described as one of the finest stock ranges in the west. George Bird Grinnell states that "The Cheyennes are energetic, industrious and willing to work, but under present conditions they have nothing to work with, and practically all the money that they earn is the few thousand dollars which they receive from hauling freight, and for the small wood and hay contracts which they fill for the government."

There is a day school at the Agency and St. Labré's mission school on the Tongue river. The school facilities are inadequate.

The general physical condition of the In-



THE SUN DANCE CEREMONIAL, PIEGAN INDIANS.

are in poor condition and they are decreasing in numbers. As a nation the Crows have always been friendly to the white people. The result is that they have from time to time sold portions of their extensive lands to the government and have large sums of money to their credit. The reservation is still broad in extent and there is no present plan for its opening. There is a government school at the Crow Agency and a Catholic mission school. Both are well attended.

The Tongue river, or Northern Cheyenne reservation, is in southern Montana immediately to the east of the Crow reservation. The Agency is on Little Deer creek sixty-five miles from Rosebud. It is inhabited by about 1,360 Northern Cheyennes and there are also

dians is good and they are law-abiding and peaceable.

From the foregoing brief account of the Indian reservations in Montana the reader may judge for himself the character of the country, the general condition of the people and whether or not they will benefit by the opening of the reservations and the allotment in severalty of the lands. It is exceedingly difficult to make any arbitrary rule and apply it generally. Conditions among the Indians vary greatly. That which is conducive to the welfare of one may be detrimental to the other. It would seem that while individual ownership of land in a fertile country where it is possible to raise good crops is probably a benefit, on the other hand, where the land is poor



and farming impracticable such a disposition of it may prove disastrous. In the struggle for possession, the Indian has, for more than half a century, been slowly but nevertheless surely deprived of his most treasured hunting grounds and relegated to barren and little coveted sections. Therefore, in dealing with the question we must consider that, generally speaking, the reservations are not garden spots. So far as the white homeseeker is con-



THE MEDICINE OWL, MAKING AN  
INVOCATION TO THE SUN.

cerned, he does not need the acres of the Indian. There are in Montana alone hundreds of miles of long-neglected lands awaiting the coming of the farmer.

Within the past few years the government has awakened to the fact that if we would make a husbandman of the Indian we must give him water to irrigate his crops. Hence the irrigation projects on the different reservations which we have considered in detail in

a previous chapter. No one factor can have more to do with the prosperity of the modern Indian than water, and in giving him this the government is doing him the greatest service.

The Indian of today is in a state of transition. The plumed hunter of the plains is no more. In the words of Chief Joseph, "it is the young man who say yes or no," and the young men are neither Indian nor white in character, but are an odd and often unhappy mingling of both. The tendency of those who have the Indian in their care is to seek by every means to stamp out the old traditions, customs and ceremonies which made up the life of the redman a generation or two ago; and to consider valueless, all those exquisite handicrafts the doing of which was his joy and pride. To one who knows Indian character, or for that matter, human nature generally, nothing can be more unfortunate or disastrous than the lapse of these old customs and the neglect of the old work. The Indian was at heart a poet; he was also an artist. Destroy the traditions of a people and the patriotism with which they are indissolubly bound, take from them the occupations which have been handed down from the dim beginnings, and you have robbed their souls. What have we better to offer instead?

It should be the care of the government representatives to see that the ancient ceremonials are preserved with jealous care, so long as they do not conflict with the usefulness of the Indian as a citizen. They should see, also, that in the schools are taught the handicrafts for which each particular tribe has been distinguished in the past. Blanket weaving, the making of pottery, basketry, porcupine-quill and bead work should be taught and the young encouraged to excel as their mothers did.

The Indian of the present time is in a state of perplexity. He is the victim of many conflicting theories and the subject of learned contention. But who is there to work out his welfare for him; to point the way and remold

him whom the Maker cast in his own Image? All that is truly good or great comes from within, and the individual as well as the nation must work out his own salvation. The Indian is no exception; he is entirely, intensely human, like the rest of us. No race in bondage ever progressed, and unquestionably the Indian has

been in bondage. We owe him one thing,—freedom, the God-given right of every man and woman. With complete emancipation which will come as surely as the sun rises in the east, the Indian will blaze his own trail, solve his own problem and evolve his own future.

## CHAPTER XXXIII

### THE COUNTIES, CITIES AND TOWNS

#### MISSOULA COUNTY

Hon. F. H. Woody, an eminent pioneer and authority on Montana history, gives the following account of the organization of Missoula county:

"By an act of Congress, approved March 2, 1853, the Territory of Oregon was divided, and this portion of it became a portion of Washington Territory. The first legislature of Washington Territory created the county of Clark, named in honor of Captain Clark, of the Lewis and Clark expedition. Clark county extended from a point on the Columbia river below Fort Vancouver, to the summit of the Rocky mountains, a distance of some six hundred miles. This portion of the present Territory of Montana was then a portion of Clark county, and was for the first time included within the limits of a county.

"Clark county was afterwards divided, and the county of Skamania created, and we became a portion of the last named county.

"The legislature then divided Skamania and created Walla Walla county, and we then became a portion of Walla Walla county, with our county seat located on the land claim of Lloyd Brooks, on the Walla Walla river, in the present Territory of Washington.

"Walla Walla county was afterwards divided and we became a part of Spokane county, with the county seat located at Fort Colville.

"We remained a part of Spokane county until December 14, 1860, when the legislature of Washington Territory divided the county of Spokane, and created the county of Missoula, with the county seat at or near the trading post of Worden & Co., Hell's Gate Ronde.

"The county of Missoula, as first established, embraced all those portions of the present counties of Missoula and Deer Lodge, lying on the west side of the main range of the Rocky mountains. Missoula county remained a portion of Washington Territory until Idaho Territory was organized, on the 3d day of March, 1863, when it became a portion of the territory.

"The first legislature of Idaho created Missoula county with nearly the same boundaries that it has at the present time, and located the county seat at Wordensville. On the 26th day of May, 1864, Congress created Montana Territory, and the first Legislature, which met at Bannack, created, on the 2d day of February, 1865, the county of Missoula, and located the county seat at Hell's Gate. From the foregoing it will be seen that Missoula county has at different times comprised a portion of four territories and five counties."

The name, Missoula, is from the Selish *In-mis-sou-let-ka*, meaning "*The River of Awe.*"

Missoula is one of the most important and populous counties of Montana. It lies in the extreme western portion of the state adjoining Idaho, from which it is separated by the lofty Bitter Root range. The country is mountainous in character, with many fertile valleys. The northernmost point of the county is between the Bitter Root and Coeur d'Alene mountains. In the southern section is the majestic Mission or Sin-Yal-Min range, which culminates in McDonald and other splendid peaks. Many beautiful lakes are within the



cañons of this range. The mountains are generally heavily timbered.

The valleys are drained by the Missoula, or Hellgate, the Big Blackfoot, the Swan, the Flathead, and the Jocko rivers with their countless feeders,—the mountain streams.

Western Montana has a climate much more pleasant than is generally supposed by those who live outside of the state. The summers are delightful; the winters mild. The days are moderately warm in summer, but the nights are always cool. The moisture of the coast and of the central states is lacking, and the atmosphere does not have the oppressive feeling of humid regions. There are cold snaps in winter, but the mercury does not often go below zero. Cold weather is usually accompanied by clear, still atmosphere. The absence of moisture makes the cold less keen, and the occasional low temperature does not cause discomfort.

The following table gives the different temperatures and average monthly precipitation for 1910, taken from government statistics:

	Mean Temp.	Maxi- mum.	Mini- mum.	Precipi- tation.
January . . . . .	21.8	53	—15	0.61
February . . . . .	22.4	44	—14	1.40
March . . . . .	43.0	70	21	0.69
April . . . . .	51.2	90	26	0.66
May . . . . .	55.8	89	26	1.92
June . . . . .	63.0	98	30	0.67
July . . . . .	71.0	102	42	0.13
August . . . . .	62.4	93	29	0.57
September . . . . .	56.1	82	30	2.76
October . . . . .	48.4	81	20	1.20
November . . . . .	36.0	60	11	2.35
December . . . . .	25.2	40	2	0.27

The average mean temperature for 1910 was 46.4, and for 1909 was 44.2. The total precipitation for 1910 was 13.23 inches, and for 1909 16.35 inches. The rainfall is distributed throughout the year and in considerable quantity during the growing season. The year

1910 was unusually dry. In August there has been an average of over three-quarters of an inch during a period of thirty-three years. May and June are usually the rainy months.

Western Montana, as indeed the entire state, is subject to warm chinook winds. The effect of these winds is to heat the atmosphere, drink up the snow that may have accumulated and carry it off with the blowing breeze to the adjacent mountains, where it is again precipitated. Then it forms in drifts, to be used later by the agriculturist and horticulturist in late summer. The chinook winds thus serve a double purpose to the state, especially in the mountainous part; they warm the climate, clear the ground so stock may graze, and in addition, take the snow from the lowlands and deposit it higher up, where it remains in drifts until the warm sun of summer slowly brings it to the valleys through the streams.

The chief industries of Missoula county are mining, lumbering, agriculture and horticulture.

The county has many productive valleys. Among these are the Flathead, a part of the Mission or Sin-Yal-Min, the Jocko and the Missoula.

The opening of the Flathead (Selish) Indian reservation in 1910 doubled the area of available farm lands. Within the limits of the former reservation are both the Sin-Yal-Min and Jocko valleys. The east boundary is marked by the snow-laden peaks of the Sin-Yal-Min or Mission range. This reservation is sixty miles long and forty miles wide and contains a million and a half acres, of which there are 111,320 acres of agricultural land, 336,189 grazing land and the remainder mountainous and timbered. In 1910 there were over 800,000 bushels of wheat raised, 1,000,000 bushels of oats, 50,000 bushels of barley and rye, 20,000 tons of timothy and large crops of potatoes. The crop of 1911 was much greater than that of 1910, and at least 20 per cent can be added for 1912.

Shortly after the opening, numerous small

towns sprang into existence, some originating from a few Indian cabins gathered around old land marks, and others springing out of the lonely prairie as if by magic. These towns are all progressive and include Polson, Ronan, St. Ignatius, Dixon, Arlee, Ravalli, Camas and Big Arm.

As a rule on each claim of the reservation a part of the land has been broken and planted but the unbroken area far exceeds the land that has been plowed. Every year new lands are brought into cultivation, and when means are provided to ship by railroad, the production of crops in this section will be many times as great.

At present the reservation is accessible only by way of motor and stage lines, which radiate from the different points of the Northern Pacific Railway on the southern boundary to all the important points inland. The Great Northern has a prospective road surveyed from Kalispell to Dixon, directly across the reservation, and many eastern farmers have shown their business sagacity by securing farms, abiding their time until the coming of the railroad, which will doubtless be built in the next few years. The market for reservation grain and products is Missoula and the western coast cities.

Some remarkable crops have been reported from the vicinity of Ronan, the principal town. Spring wheat on new breaking ran from twenty to twenty-five bushels to the acre, winter wheat averaged about thirty bushels, oats yielded forty to seventy bushels and barley about fifty bushels. Larger yields are reported in several instances. A farmer of this vicinity had, at one time, twelve thousand sacks of wheat piled up at his ranch. Vegetables made surprising growths. Potatoes that weighed over three pounds and cabbage over twenty pounds were shown at Ronan. Good crops of hay were cut throughout the reservation.

Missoula county has about seven thousand five hundred acres in orchards and large areas of fruit lands both in the old sections of

the county and in the reservation. Apples, pears, plums, cherries, and berries are the fruits that are grown in greatest quantities. Missoula is the home of the McIntosh red apple, the famous fruit that grows to perfection in the Bitter Root, Missoula, Plains and Flathead valleys. Other varieties do equally well and fruit growing is well established as a very profitable industry. Wonderful displays of the many kinds of fruits that flourish in Montana are made annually at the Western Montana Apple Show, which is held at Missoula.

A few years ago the fruit crops sent to eastern markets were from twenty-five to fifty carloads. This increased to one hundred, and in 1911 the output was four hundred and fifty carloads. This does not include local sales. Apples, of course, constitute practically all of these shipments, although the big black Bing and Lambert cherries are shipped to New York in carload lots.

Wide diversity is found in returns from orchards; sometimes it is due to conditions of soil, but mostly from lack of care and culture. An experienced orchardist who has a full bearing, ten-year-old tract of twenty acres averages eighty trees to the acre and five boxes to the tree, or four hundred boxes per acre.

Mining is an important factor in the development of Missoula county. "The mineral areas of Missoula county," says the state mine inspector, "are both extensive and attractive, offering as good opportunities to the prospector and to the capitalist as can be found in any of the mineral districts of the Rocky mountain region." Many properties are being worked or explored, and an important development of the year 1911 was the installation of a gold dredge at Kennedy creek. In a recent report on the placer deposits of Libby creek, Lincoln county, and Kennedy creek, Missoula county, Mr. F. C. Schrader of the United States Geological Survey, says that some mining men estimate the gold in the Kennedy creek basin at \$18,000,000. In a limited area he estimates



AGRICULTURE FIELD IN MISSOULA VALLEY.



\$5,000,000 for the Kennedy creek portion of the area examined, and in the basin \$11,000,000. The entire district of which Kennedy creek is a portion is roughly estimated by Mr. Schrader to contain about \$100,000,000 worth of gold. Many other districts in this section have great undeveloped mineral wealth.

Missoula is the largest lumbering point between St. Paul and Minneapolis to the east, and Seattle to the west. This is one of the principal industries and sources of revenue of western Montana.

The foothills and slopes of the mountain ranges are covered with vast forests of fir, larch and pine. The Big Blackfoot mills, the largest in the state, are located at Bonner, six miles east of Missoula, and are reached by an interurban electric railway. Here also is W. A. Clark's new mill. At Lothrop and Missoula are others of Clark's mills, and the Polley's Lumber Company, just recently established at Missoula. At Hamilton, in the Bitter Root, is another large mill and at the northern end of the Flathead is the second largest mill in Montana. Besides, there are numerous others distributed at various distances. The payrolls of the mills and camps are enormous, keeping a large amount of money in circulation and contributing to the maintenance of other lines of business, especially agriculture.

The towns are Missoula, Bonner, Saltse, St. Regis, Alberton, Dixon, Ravalli and Ronan. Ronan, the chief town in the Flathead reservation, has a population of five hundred. It has a bank, a newspaper, business houses and is looking forward toward the construction of a railroad which will hasten the development of the fertile region of which it is the commercial center. Ravalli and Dixon are growing towns on the reservation. Alberton is a railroad town on the Milwaukee. Saltse is in the mineral and timbered district. St. Regis has a large sawmill, and at Bonner, six miles east of Missoula, where the Big Blackfoot river emerges from a cañon, is an electric power plant and one of the largest lumber mills in the northwest, as we have seen.

Missoula, the metropolis of the western part of Montana, is located at the entrance of the Bitter Root valley, which extends to the south, has the Missoula valley adjacent, is close to the Flathead reservation on the north, and the Big Blackfoot valley on the east. Missoula is a well-built, progressive city having modern improvements, good public, business and private buildings, two daily papers, banks with large deposits, electric lights, railroad and power, numerous important business and manufacturing establishments. It has a U. S. land office and is the headquarters of the forestry service for the state. Fort Missoula is in the suburbs. It is fitly called the "Garden City" and is a delightful place of residence.

The Northern Pacific and Milwaukee railroads traverse the county and Missoula is a division point on the former road. The payroll of railroad employees is an important factor in the business of the city. The main line of the Northern Pacific, entering the county near Bonner, runs northwest through Clark's Fork valley; a branch line extends to the Coeur d'Alene in Idaho, passing through a farming, timbered and mining section, and the Bitter Root branch runs through the fertile Bitter Root valley. The Milwaukee road parallels the other road from the eastern boundary to the city and crosses the Bitter Root mountains into Idaho. An electric railway through the Bitter Root valley and another from Missoula to Flathead lake are transportation facilities that are expected to be supplied soon. Missoula is the seat of the University of Montana, which in the few years since its establishment has grown to be an institution of usefulness and influence. Missoula has experienced a remarkable growth in a decade. The population in 1900 was 4,366 and 12,869 in 1910, an increase of 195 per cent.

The population of Missoula county in 1900 was 13,964, and 23,596 in 1910, an increase of 69 per cent. Sanders county was taken from Missoula between the two census periods. The assessed valuations of property in 1908 was

\$12,541,120, and \$17,470,449 in 1911, or an increase of 39 per cent. The vacant and unappropriated public lands were 1,461,710 acres in 1908, and 1,429,247 in 1911.

#### DEER LODGE COUNTY.

Hon. Granville Stuart, who, in company with his brother James, discovered placer gold in what is now Montana, in the year 1858, gives this brief historical sketch of the organization and naming of Deer Lodge county:

"This county was created by the first legislature of Montana on the 2nd day of February, 1865. Prior to that time it had formed a portion of Missoula county, which was organized in 1862 under the laws of Washington territory, of which it then formed a part. Missoula county at that time embraced all of that part of what is now Montana that lies west of the Rocky mountains. On the 3rd of March, 1863, congress created the territory of Idaho out of portions of Washington, Oregon and Dakota, which threw Missoula county, including what was afterwards Deer Lodge, into the new territory; and on the 26th of May, 1864, congress created Montana out of that part of Idaho lying north of the Bitter Root mountains and north and east of the Rocky mountains, and when the first Montana legislature met at Bannack City in December, 1864, they divided the territory into counties, Deer Lodge being one of the number. The name of the county, valley and town is derived from the Hot Spring mound or butte near Belanger's hotel in the upper part of the valley, which was called by the Snake Indians "The White-tailed Deer Lodge," from the fact of those deer (*cervus Virginianus*) being very abundant in the swamps in that vicinity, and from the resemblance that the mound bore to an Indian lodge of a winter's morning when the steam rose from the hot spring on its summit, like smoke from a lodge. The valley and county were a sort of neutral ground among the surrounding tribes of Indians and were not permanently occupied by any of

them, at least not during the historical period."

Deer Lodge county is in southwestern Montana. The continental divide sweeps along two-thirds of its western border. It is drained by the Deer Lodge and Wisdom rivers and their affluents. In early days this was one of the large counties, but after the division, which created from its original area Silver Bow, Powell and Granite, it became next to the smallest county of the state. It now has an area of but 726 square miles, yet it is very rich in its many products. The greatest industry is the smelting of copper ores, to which we shall refer later.

The mountains contain much picturesque scenery and mines of placer and quartz gold. In a district west of Anaconda near the Granite county line, extensive mining operations are carried on. The following extract is from the report of the state mining inspector for 1912:

"Mining in Deer Lodge county has been very active and development which has been done gives evidence of some extensive mineral deposits, with every indication of permanency, in the Cable, Southern Cross and Georgetown districts. The Southern Cross mine has been extensively developed and large bodies of ore have been explored. The entire district has all the indications of developing a very prosperous mining center. In the near future it will be one of the greatest gold mining districts in the state owing to the railroad transportation."

The Butte, Anaconda & Pacific Railway is extending a line from Anaconda into the Georgetown lake section, a distance of twenty-two miles. Lumbering is an important industry, and a large part of the timber used in the mines of Butte is cut in the mountain regions.

Though not great in numbers, the live stock includes many valuable animals of the best breeds. Large quantities of hay, wheat, oats and garden truck are grown. A market for all products is at hand in Butte and Anaconda.

In hot beds large quantities of cabbages, cucumbers and lettuce are raised. Peas, lettuce,

onions, kohlrabi, parsley, kale, turnips, cauliflower, table beets, radishes and rutabagas are grown.

A wonderful exhibit of grains and grasses, arranged in an attractive manner, was made by Deer Lodge county at the state fair of 1911 and was awarded the first prize.

The county commissioners, who have letters from many farmers giving accounts of crop yields, have issued a pamphlet in which they say:

"To the homeseekers with little capital and plenty of energy Deer Lodge county offers unexcelled, if not unequalled, opportunities. Ten acres well handled will return a good living and will represent only a fractional part of the investment necessary to get land enough elsewhere, not so favored in regard to markets, on which to make the same good living. There is still at lot of good land to be had in the valley. \* \* \* With but from forty to eighty acres of good land one who grows a variety of crops and raises hogs, chickens, a few cattle, etc., can handle his own farm on a small investment and with profit. \* \* \* The product of such a farm will bring high prices on the market. The demand for small fruit, butter and eggs, beef, pork, etc., that is fattened and marketed at the proper time will make fancy prices."

The county seat is Anaconda, a thriving town, about which gathers much historical lore.

In the fall of 1882 it was a current rumor in Butte that the Anaconda Company was about to locate a smelter plant either at some point on the Big Hole river or on Warm Springs creek in the Deer Lodge valley. The report did not create much interest in Butte. It was thought that a little unimportant town would spring up around the smelter. At that time no one in Butte fully realized the magnitude of the Anaconda mining properties.

Early in the spring of 1883 it became known that Mr. Daly had decided upon the Warm Springs site, but there was nothing like a stampede to that place. Nobody regarded it as a significant event in Montana history. There were even those who scoffed at the whole project as visionary and impracticable.

His first purchase consisted of land northeast of the town, including the site of the Upper Works. Next he bought the rights on the railroad land, which constitutes the site of the city of Anaconda proper. The third purchase was a portion of government land west of the townsite, including the site of the foundry. Several other purchases were made. The total investment was about \$20,000.

In May work actually began by the digging of a big ditch to convey water from the creek to the smelter site,—the Upper Works. A large force of men, most of whom came from Butte, was employed, and a long line of tents was presently seen stretching up and down Warm Springs creek. This location was deemed best because of the accessibility of water for drinking, cooking and laundry purposes. Later on, when wells were dug to the south for dwellings, it was found that good water was struck at a depth of 25 feet.

Clinton H. Moore, of Butte, was the first postmaster, and he is responsible for naming the town "Anaconda." Mr. Moore received his commission as postmaster from Secretary Gresham, who was postmaster general under Chester A. Arthur. The name of the town being talked over one day, "Mr. Daly suggested the name of Copperopolis," said Mr. Moore, "but I reminded him that the post-office department does not favor a repetition of names. There were a camp and a postoffice in the eastern part of the state of that name. I suggested Anaconda, but Mr. Daly at the time did not seem to favor it. He gave no reason for opposing it, however, and I never knew why he did not like the suggestion. Nothing more was said about it until the papers relative to my appointment as postmaster arrived, and with them came a request from the department in Washington for me to give the office a name. When I signed the papers that were returned to Washington, I wrote 'Anaconda' as the name of the postoffice, and the town, which was then just beginning to be built, took that name."

The following account of the Washoe smelters is told by E. P. Mathewson, the superintendent:



"Marcus Daly selected Anaconda as the site for the smelter of the Anaconda Mining Company on account of the good water supply. The Upper Works, on the north side of Warm Springs creek, were begun in 1883, under the direction of the late William McCaskell. They were designed to treat 500 tons of ore daily. They consisted of concentrator, hand roasters and small reverberatory matte furnaces. They were put in operation September, 1884.

"These works were reconstructed in 1886, when steam stamps were substituted for crushers and rolls in the concentrator, following the practice of the Lake Superior concentrators. These changes were made under the direction of Otto Stalmann and the capacity of the plant increased to 1,000 tons daily. Bruckner roasting furnaces were introduced at this time and were a marked improvement over the old hand roasters.

"As the mines increased their output, more smelting capacity became necessary; so, in 1887, construction of the Lower Works, about one mile farther east, was begun. There was considerable delay in building, and fire destroyed the works shortly after they were built. It was not until late in the fall of 1889 that they were again put in commission. They had a capacity of 3,000 tons daily and were, at the time of their construction, the best equipped copper smelting works in existence. The buildings were of iron and many new devices and appliances were introduced. As far as possible gravity and machinery were substituted for manual labor. This gave for the two plants a combined capacity of 4,000 tons of ore daily.

"The first converter plant was put in commission in 1889. The second converter plant, at the Lower Works, was built under H. W. Hixon's direction in 1892. The first experimental refining plant, built in 1888 under Mr. Thofern, was enlarged and improved in 1892. This plant was not required after 1903, on account of large refineries being built at Perth Amboy, N. J. It is hoped that it may soon be again in commission, as the newer portion is constructed and fitted out in the most improved

style, while the older part can be brought up to date at slight expense.

"About 1898 Mr. Daly decided to enlarge the smelters, but could not see how it could be done economically, so he changed his plans and chose the site of the present Washoe smelter for a new plant entirely. About this time F. Klepetko was given charge of the 'Old Works,' and he immediately set about planning the new Washoe smelter. The work of construction of this, the world's greatest copper smelter, was begun in 1900, and the first ore was treated at the new plant February 23, 1902. A month later operations were begun in the concentrator. The plant was designed to handle four thousand eight hundred tons daily in the concentrator and a thousand tons at the blast furnaces. The plant was soon found to be too small for the increased productions of the mines. So changes and additions were made, until to-day it has a capacity of twelve thousand tons of ore daily. It enjoys the distinction of being the largest copper smelter in the world, turning out fifteen per cent of all the copper produced in the world, or from twenty to twenty-five per cent of all the copper produced in the United States. It employs two thousand men; its monthly payroll is \$215,000.

"In addition to the smelter the A. C. M. Company operates a fire brick plant, installed years ago to make a refractory brick to take the place of the Dinas brick, which were imported from Wales at great expense. It has not only produced a substitute for the Dinas brick, but has driven the Welsh brick out of the market of the western copper-producing states. The brick manufactured in Anaconda are to-day acknowledged to be the best in the world. The plant employs forty-five men.

"The company, to avoid excessive charges on castings, etc., from San Francisco and Chicago, established what was first known as the Tuttle Manufacturing & Supply Company, afterwards the foundry department of the A. C. M. Company. This establishment is fitted with modern metal working machinery and employs at present about one hundred and seventy-five men and does, practically, all the

foundry, boiler and machine shop work for the mines and smelters, besides outside custom work.

"The late Marcus Daly is, of course, the central figure when Anaconda or its smelter is considered. He originated the whole business. His active mind and strong personality controlled everything in Anaconda from 1883 to 1890, when, owing to ill health, he was most of the time away from Anaconda.

"There were numerous superintendents under Mr. Daly, the most prominent being Mr. McCaskell, who built the first plant, and who died a few years later. Then Otto Stalmann, from 1886 to 1893; then John S. Dougherty, from 1893 to 1899. Mr. Daly died on November 12, 1900. F. Klepetko was manager of the reduction works from 1899 to 1902, when, after a short time during which period no regular manager was appointed, the writer took charge as manager of the reduction works, holding the position at the present time.

"Anaconda has the distinction of having been the home, at some time or other, of nearly every man now living who is prominent in the copper smelting world. Anaconda smeltermen are known the world over. Anaconda's smelters have always been of the largest, and the company's policy has always been to secure the latest improved appliances regardless of expense."

Anaconda is a modern city, with an excellent public school system, a public playground, library, many churches and one of the largest newspapers in the state. The town also has the State Fish Hatchery, manufactories of fine building brick and excellent business and residence structures. The population is about 10,134 inhabitants.

The unappropriated public lands in Deer Lodge County in 1908 were 95,078 acres, and 61,911 in 1911.

The Northern Pacific and the Chicago, Milwaukee and St. Paul railways run through the Deer Lodge valley, and the Butte, Anaconda & Pacific to Butte.

Powell county has been taken from Deer Lodge county since the census of 1900. In 1910 Deer Lodge county had a population of

12,988. The assessed valuation of all property in 1908 was \$8,638,563, and \$8,813,472 in 1911.

#### DAWSON COUNTY.

Dawson county is called "The Gateway to Montana." It is situated in the extreme eastern portion of the state, "extending north and south a full third of the distance between Wyoming and Canada, and east and west another full third the distance between North Dakota and Idaho." The 13,194 square miles within this county is mostly prairie land similar to that of western Dakota. A high divide rises between the Musselshell and Missouri rivers, which mark the western and northern boundaries of the county. The rolling prairie-land is broken here and there by the "buttes," which form a characteristic feature of the north-western landscape, and a chain of scoriated hills flanks the southern boundary. By far the greatest portion of this section, however, is smooth, rolling plains, well suited for agriculture.

Between the Yellowstone and Missouri rivers we find the lowest elevation in the state—2,100 feet above sea level. This, of course, gives a longer growing season, the advantages of which are obvious. The land of Dawson county may be roughly classified as bottom land which can be irrigated, bench lands which will, if properly cultivated, contribute millions of dollars worth of wheat and other grains to the market, and, lastly, grazing lands that sustain immense numbers of cattle and horses.

This region is well watered. The Yellowstone and the Missouri rivers drain its prairies. Flowing into the former stream are the Big Dry, Musselshell and the Redwater, all of which have many tributary creeks and streams that give every opportunity for building ditches and reservoirs for a perfect irrigation system which will assure successful crops. Under the state laws, which are most liberal, the farmer may secure perpetual water rights, which obviously increase the value of the land.

Most of Dawson county's tillable soil is of that variety popularly known as "dry land." This, however, is a misnomer in its literal

sense. The high average annual rainfall, coupled with the fact that it comes at the most opportune time during the growing season, have produced wonderful results which show that this is virtually a continuation of the great Dakota wheat belt.

Speaking of the agricultural possibilities of this section, Professor Thomas Shaw, of Minnesota, an eminent authority on dry land culture, says:

"The soil is brownish in color, more or less a volcanic ash in its texture, and it is exceedingly rich in mineral elements of plant growth. The only serious concern of those who till this soil will be to keep it supplied with humus, that is, vegetable matter. It is the brown color of this soil, and the brown color of the grass in autumn that has misled people in regard to this county. In their haste they have concluded that it was no good for farming. The ranchmen who grazed this free land fostered that view. The longer they could maintain the delusion that the land could not be farmed, the longer would they be supplied with free pasture."

The climate of eastern Montana is excellent. The air is dry and exhilarating. The summer months are temperately warm, but never oppressively hot. The winters are sufficiently open to permit thousands of cattle, horses and sheep to range without shelter in the open.

The snowfall is generally light. By April the frost is out of the ground and plowing can be begun.

The heaviest rainfall occurs in May, June and July. The latter part of July and the first part of August are marked by warm sunshine and occasional showers. The following precipitation record will give a clear idea of the climate:

	Inches.
January .....	.49
February .....	.53
March .....	.00
April .....	.33
May .....	4.78
June .....	5.12
July .....	4.21
August .....	.53
September .....	.70
October .....	.00
November .....	.44
December .....	.46

Total.....17.59

Under these favorable conditions of soil and climate the crops of Dawson county are unusually rich. Winter wheat, corn, barley, oats, rye, potatoes, alfalfa and many kinds of fruits and vegetables are raised in abundance. The following figures from the Year Book of the Department of Agriculture are of interest:

### CROPS, 1908.

From U. S. Department of Agriculture Blue Book.

	Average Yield per acre for Minn., Ill., Iowa, Nebraska, Kansas, and North Dakota, 1908.	Average Bushels per acre for Montana, 1908.	Average Yield per acre U. S. Experiment Station Farm at Bloomfield, 1907-1908.	Average value per acre in 6 states named.	Average value per acre Dawson County.	Dawson County exceeds averages of Minn., Ill., Iowa, Nebr., Kansas and N. Dak., per acre	
						Bu.	\$
Winter Wheat...	13.71	24.2	41.00	12.67	41.00	27.29	29.33
Oats.....	22.72	41.6	69.50	9.97	27.80	46.78	17.93
Rye.....	17.51	20.0	37.00	11.28	27.75	.....	16.47
Potatoes.....	78.3	138.0	147.56	51.06	109.67	69.47	58.61
Corn.....	27.5	23.4	.....	15.10	21.25	4.01	6.15



At the Fourth International Dry Farming Congress, held at Billings in October, Montana came first among the many competing states, and Dawson county first among the counties, capturing forty-three premiums.

The Lower Yellowstone Irrigation Canal constructed by the United States Reclamation Service, is the largest and longest in the state. The Yellowstone river is dammed at Glendive and feeds the canal, which waters a strip of land fifty-five miles long and from one-half mile to five miles wide, containing approximately sixty-five thousand acres. The law authorizing the building of this canal for the reclamation of arid lands permits settlers to take up homesteads, but under slightly different conditions than those that prevail in other localities. The cost of constructing the ditch is, of course, assumed by the government, but it will be ultimately repaid by the land owners, who benefit by the use of the water. The cost will amount to \$42.50 per acre, to be paid in annual assessments of \$3.00 per acre.

There is, besides irrigated land, a vast quantity of railroad land for sale and government lands suitable for dry land farming and grazing, open to settlement. In the fourth report issued by the Dry Farming Congress, the following statement was made: "It hardly seems creditable, and yet it is an incontestable fact, that nearly five million acres of tillable farm lands are still open to the homesteader in Dawson county. Of the 8,455,280 acres that constitute the area of the county, there is sixty per cent of this land that is tillable. At the present time not to exceed ten per cent of the arable land of the county has been pre-empted. With the figures at hand to substantiate the claim, coupled with the certain agricultural success of the last few years, the people of that section are justified in making the claim that Dawson county to-day possesses one of the richest, greatest dry farming domains to be found anywhere in the world, and at the present time nine-tenths of it is still available to the homesteader." There is much of the county that has never been surveyed. Hundreds of streams and creeks do not appear on

the map. An authority on the subject classifies the land as follows:

"The Lower Yellowstone district, the Redwater country, the Big Dry country, the Musselshell, and the Missouri. By far the larger part of the settlement is confined to the Lower Yellowstone north of Glendive, a strip of country eighty miles long. The Redwater river rises in the Sheep bluffs and goes almost directly northward to the Missouri river, a distance of a hundred miles. The district, embracing some of the finest prairie land in the state, is directly tributary to Glendive, and is destined to rapid development. The Big Dry and its tributaries drain another large district in the west central portion of the county, while all of the western and northern townships are in the Musselshell and Missouri districts."

Another important feature of Dawson county is its coal fields. It is said that the largest single coal belt in America extends diagonally along the western border of North Dakota, thence through eastern Montana and into Wyoming. In Dakota the coal is of a dull, soft lignite variety, hardly fit for commercial purposes, but as the strata are traced west and south they improve in quality. In Dawson county this native coal is called sub-bituminous and its glistening surface shows its superiority to the coal of Dakota. It is assumed that practically all of this county is underlaid with coal beds. Scarcely a ranch is located that the farmer does not find an outcropping on a cut bank of an exposed surface vein within a short distance, where he can obtain fuel. In the vicinity of Glendive are a number of mines that supply the local market. Some of these mines have attained considerable depth and coal of the lower levels is of better quality. There seems no reason to doubt that in the future the Dawson county coal fields will be utilized for general commerce.

Glendive, a prosperous town of about three thousand five hundred inhabitants, is the county seat. It is pleasantly situated on a level sweep of valley on the south side of Yellowstone river. At this point the Northern Pacific Railway enters this great valley and fol-

lows the river for almost its entire length on its way to the coast. Glendive is one of the main division points of this railroad.

During the past five years there has been much work in progress connected with the surveying and building of railways, surveying of irrigating canals and the construction of the government works of the Lower Yellowstone project. This has, of course, brought capital into the town and created a better local market for the adjacent farms. It must be remembered that from Glendive to the mouth of the Yellowstone stretches a valley eighty miles in length, which contributes its commerce to that town; the great Redwater country with its live stock, farming and irrigation enterprises, is tributary to it also, and it virtually controls all of the district lying between the Northern Pacific Railway and the Missouri river.

Glendive promises to become a railway center. It has a new railroad under construction which will be completed in the near future. A branch road known as the Missouri River Railway Company, is building from Glendive to the town of Sidney, fifty miles down the Yellowstone. This will facilitate communication for the farmers of the valley and will make Glendive a market center for most of that district. This company is also building an extension of its line from Mandan, North Dakota, to meet the above described branch at Sidney. A survey is under way for an extension from the main line at Glendive nearly due west, which will open up bench lands north of the Yellowstone, and passing north of Miles City in Custer county and Forsyth in Rosebud county, will open a rich section in the Upper Musselshell and finally join the main line at Helena. This project will shorten the main line one hundred and fifty to two hundred miles, which seems a sufficient guarantee of its consummation. When these plans are completed Glendive will have four railroads radiating in different directions.

In addition to being a railway center Glendive has the advantage of possessing a navigable waterway. Long before the steam engine

entered the Yellowstone valley, steamboats brought supplies to the frontier posts of Montana and returned to St. Louis with cargoes of buffalo hides. After the construction of the transcontinental railroad steamboat traffic on the Upper Missouri and Yellowstone decreased and was for years practically suspended. Recently interest in inland navigation has revived and steamers once more stop at Fort Benton on the Missouri and Glendive on the Yellowstone.

There is little doubt that the great rivers are destined to figure again in the transportation and commerce of the northwest. During 1909 the steamers "Expansion" and "Extension" plied from Glendive to Sidney and Mondak carrying supplies for the United States Reclamation Service in the construction of the Lower Yellowstone Irrigation Canal. The dam near Glendive does not prevent navigation, for it is a low-water dam and steamboats can pass over it during the months when the water is high. Although the necessity for river navigation is not yet at hand, with the settlement of the country and the increase in export products, it will become an important factor in overland transportation.

Glendive is making progress in civic improvement. Many new business blocks and residences testify to its prosperity. The laying of cement sidewalks, the parking of streets and building of boulevards are occupying the attention of public-spirited citizens.

#### BEAVERHEAD COUNTY.

Beaverhead county, located in the southwestern corner of the state, has an area of five thousand square miles. It is named from the famous and historical landmark known as Beaverhead Rock. When Lewis and Clark were camped on the Beaverhead river, six miles above the mouth of Ruby river, they wrote in their journal:

"On our right is the point of a high plain, which our Indian woman (Sacajawea) recognizes as the place they called the Beaver's-

head, from a supposed resemblance to that object."

This landmark had for many years guided the Indians in their wanderings and later the fur traders and *voyageurs*. The gold seekers likewise depended on it to guide their course. Finally, in 1871, when the laws of Montana were codified, they contained a description of Beaverhead county, which follows in part:

"Commencing at a point known as the Beaverhead Rock; thence due south to the territorial line," etc. Likewise the description of Madison county opens thus:

"Commencing at the Beaverhead Rock on Beaverhead river; thence in a right line in a northwesterly direction to the nearest point on Big Hole river; thence up said river to the mouth of Camp creek."

This arbitrary line from Camp creek to the Beaverhead Rock, thence south to what is now the state line, has remained the boundary between Beaverhead and Madison counties. The western boundary is formed by the Bitter Root mountains and various spurs of the Rockies cover a considerable portion of the county. It contains the sources of the Jefferson river and consequently the ultimate source of the Missouri. The average elevation of the land is about six thousand feet. The rivers that water it are the Beaverhead and the Big Hole, each with many tributaries. Along the streams are valleys from which bench lands and rolling hills extend to high mountains.

The industries are stock growing, farming and mining. The discovery of gold at Bannack in 1862 caused a stampede into what is now Montana; other rich diggings were soon found, and the territory of Montana was created and Bannack made the capital. Large quantities of gold, silver and lead have been mined and many undeveloped mines and mining districts offer opportunities for the investment of capital. Government geologists have recently discovered large deposits of high grade phosphate rock near Melrose, and many thousand acres of public land have been withdrawn on that account. This asset of great value cannot be

utilized under the present policy of the government.

The farming is of irrigated and arid lands, mainly the former. The chief farming district is the Beaverhead valley, with which are connected the smaller valleys of the Blacktail, the Rattlesnake, the Grasshopper and Horse Prairie. Oats and hay are the principal crops, oats yielding from 60 to 100 bushels or more of excellent quality. At the Montana State Fair of 1911 a Beaverhead county farmer won the splendid silver cup offered by President Elliott of the Northern Pacific Railway for the best exhibit of oats grown in Montana. Two cuttings of alfalfa are made, much timothy is produced, and the native grasses make good hay.

Stock raising is the leading industry and includes sheep, horses and cattle. The cattle industry has two phases, the raising of cattle and the fattening of stock bought outside the county for that purpose. The Big Hole basin is the seat of cattle feeding as a business, and every year approximately thirty thousand head of beef are fattened on the grasses that grow there abundantly and furnish the nutritious food. The beef cattle bring the best prices at the stock yards and are in especial demand for shipment to Alaska. The Big Hole basin is one of the most wonderful and prosperous parts of Montana and the hay harvest there is especially fine. Centennial valley, a good stock country, was taken from Madison and absorbed by Beaverhead county in 1911.

Markets for all products are near, and the diversified industries add to the general prosperity. The annual precipitation is 16.32 inches; the soil is very fertile; and grain, grasses and root crops make abundant yields. Most of the public land desirable for farming has been taken up.

The Oregon Short Line crosses the county from north to south, and the Pittsburg & Gilmore Railroad that has been built from Armistead into Idaho, is to be extended through Dillon to Whitehall.

Dillon, the county seat, has a population of 1,865, is a delightful residence town, and is



the principal business point in the county. It has two banks, a good hotel, two weekly newspapers, two wholesale and twelve retail stores; a fine public library, and public schools. There are Baptist, Catholic, Episcopal, Methodist and Presbyterian church buildings, and other denominations are also represented. The Montana State Normal College is located at Dillon and prepares many young men and women to be teachers. The institution occupies handsome buildings, has a good faculty and has built up an excellent reputation for thorough work in its particular field.

Lima is an important railroad town and shipping point. Wisdom is the chief trading point in the Big Hole basin.

Beaverhead county had a population of 5,615 in 1900, and 6,446 in 1910. The area was 4,597 square miles before Centennial valley was annexed. The assessed valuation of all property in 1908 was \$6,919,702, and \$8,604,073 in 1911. This county is in the Helena land district, and on July 1, 1911, there were 286,536 surveyed, and 224,701 unsurveyed acres of unappropriated public land that are described as mountainous and grazing.

#### MADISON COUNTY.

Madison county is one of the counties of the southern group. The Madison range forms its eastern boundary, the Tobacco Root and Snow Crest ranges rise in the central portion and the Ruby mountains in the west of the county. It is watered by the Madison, Jefferson, Ruby, Beaverhead and Big Hole rivers and their tributaries. These streams have extensive and fertile valleys where the soil is rich and agriculture flourishes.

Historically speaking, Madison county is peculiarly interesting. Within its boundaries is the famous Alder gulch, discovered in 1863, which has produced more gold than any similar area in the world, and is still unexhausted. The days of placer mining are gone. Instead, at the mouth of the gulch we find large dredges which handle profitably great quantities of gold-bearing dirt. Quartz mining followed

placer mining, and Madison has produced more gold than any other county in the state. Frequently it leads in the monthly reports of gold production. The greater part of the county is a mineralized region and numerous mining camps exist. Silver Star, Iron Rod, Twin Bridges, Rochester, Sheridan, Virginia City, Pony, Norris and Red Bluff are towns that are surrounded by rich mines. In addition to gold, silver, copper and lead are ores of tungsten, iron and manganese, pure limestone and coal. Sapphires and rubies are found in placer diggings. In the numerous mining districts are many good opportunities for the prospector, miner and the capitalist.

An immense quantity of hydro-electric power is available, part of which is being utilized by the Madison River Power Company, which has built a dam across the Madison river seven miles from Norris and established a large plant that generates twenty thousand horse power the year round. The power is transmitted to several points in the county, and also to Butte and Anaconda on the west; to Bozeman, Livingston, Billings, and other places on the east. At the Upper Madison cañon the same company has built an immense dam and will harness a great power besides storing large quantities of water for irrigating purposes.

Mining, stock raising and farming are the three leading industries. Some of the best-bred horses, cattle and sheep in the United States are raised in this county. King Brook, a horse born in the Ruby valley, established, in 1911, a trotting record for the Pacific coast. Fine herds of cattle are numerous, and much attention has been paid to improving the breeds of sheep. Horses, cattle and sheep are shipped in large numbers each year and sell at prices that prove their quality.

The most important agricultural districts are in the valleys between the ranges. The Jefferson valley extends from the northern boundary to Twin Bridges, where the river is formed and embraces in its own drainage basin and those of the South Boulder and Willow creek a great extent of excellent farm land.

South of Twin Bridges are the Beaverhead and Ruby valleys, the former about fifteen miles long and five miles wide, and the latter which is about thirty miles long and three wide.

The extensive areas in these valleys contain many highly improved and productive farms. The trading points are Waterloo, Twin Bridges, Sheridan, Laurin and Alder. A part of the Willow Creek valley is in Gallatin county, but the upper part is in Madison county and extends to Pony and Norris. South of Norris is the Madison valley, about thirty-six miles long, including bench lands about five miles wide. Development as a farming region has been delayed by the lack of railroads. Large crops of oats, wheat and hay are raised. Meadow Creek, McAlister, Ennis, Jeffers, Cameron and Lyon are postoffices in this valley, which has room for at least five times its present agricultural population. Many excellent ranches are in this section.

In the valleys are irrigated lands, and on the benches farming without irrigation has proved successful. Several projects are pending that will increase the acreage of irrigated land and some of the large ranches are being subdivided and sold in farm lots.

The principal crops are wheat, oats and hay. The soil through the county is fertile and large yields are the rule. Crop reports have been gathered this year from many farmers in different sections; fifty bushels of wheat, eighty bushels of oats, three and four tons of alfalfa are not rare yields. A few yields even greater are reported. An oat crop at Alder yielded an average of 107 bushels to the acre; Laurin produced sixty bushels of barley per acre; and in the Madison valley the wheat threshed an average of 71 bushels to the acre. The average of the large acreage reported is very high for all crops.

Potatoes are extensively grown and make large yields. A farmer of Waterloo had 35 acres in potatoes and the yield was 250 bushels to the acre. He exhibited 13 varieties of potatoes at the Montana State Fair and was awarded the Hill trophy for the best exhibit

of ten varieties or more; and at the St. Paul Land Show he won the cup for the "best individual display of potatoes."

Excellent strawberries are grown and are a profitable crop. Many orchards have been set out in the past few years and Madison county promises to become an important producer of apples.

The county is sparsely settled and offers unusual advantages to the homeseeker. The markets of Butte and Anaconda are convenient and fruits, dairy products, eggs and chickens are always in demand.

Although the county has no town of more than one thousand population, there are two newspapers at Virginia City, and Sheridan, Twin Bridges and Pony each has one. The principal places are Virginia City, the county seat, an important commercial and mining center, a rich town and of great historic interest, having been the territorial capital; Pony, a mining town and trading point for the Willow Creek country; Sheridan, a pretty and thriving town, surrounded by rich farm lands and near producing mines; and Twin Bridges, which is situated at the head of the Jefferson valley near the confluence of the Ruby, Beaverhead and Big Hole rivers and at the outlet of the valleys of those rivers. Twin Bridges possesses a favorable location for growth in size and business importance and undoubtedly has a bright future before it.

At the Madison county fair, which is held every September at Twin Bridges, many excellent products are displayed and some are sent to the State Fair, where Madison county always wins a number of prizes.

The State Orphans' Home is at Twin Bridges and occupies buildings that have been erected at a cost of \$110,000. It has numerous inmates and is well supported by appropriations for its maintenance.

The Northern Pacific has a branch line extending from Whitehall to Alder and another from Sappington to Pony and Norris. An electric line from Alder to Virginia City is contemplated. The extension of the Pittsburg & Gilmore Railroad from Dillon to Twin

Bridges and Whitehall is a probability of the near future. The construction of a road in the Madison valley would open up a very extensive section.

The unappropriated and unreserved public lands in Madison county in 1908 were 1,527,412 acres, and 1,197,152 in 1911. The population was 7,695 in 1900 and 7,229 in 1910. In 1911 the Centennial valley, a large district, was taken from Madison and put into Beaverhead county. The assessed valuations in 1908 were \$6,309,319, and \$6,431,426 in 1911.

#### JEFFERSON COUNTY.

Jefferson county is fortunately situated near the markets of Helena and Butte. Much of it is mountainous, but it also contains fertile valleys and rich bottom lands.

The county is watered by many streams. The Jefferson river skirts its southern boundary. The Boulder river comes down from the peaks of the central western section, swings in a great semicircle through the county to its confluence on the southern border with the Jefferson. There are besides Prickly Pear, Lowland, Red Rock and Basin, White Tail Deer, Fish and Pipestone creeks.

The climate varies according to the altitude. In the high mountains the snowfall is considerable and the cold at times severe, but in the protected valleys it is comparatively mild. As in neighboring counties the heaviest rainfall is in the late spring and early summer.

Jefferson county supports a variety of industries. Mining ranks first in importance and cattle raising and agriculture are sources of wealth.

Many of the mountains are mineralized and scores of millions of dollars have been extracted from the mines. There are thousands of mineral claims and many producing mines. Some of the most promising districts are the Elkhorn, in the Corbin-Wickes neighborhood, where great sums have been spent during the last few years in development work; Clancy, Boulder, Basin and Amazon. The famous Gold Hill mine, from which W. A. Clark extracted several million dollars' worth of ore,

is located in a small chimney in the hills seven miles from Whitehall.

Stock growing has been an important industry from early days. The native grasses furnish excellent food, little winter feeding is necessary and many horses and blooded cattle are shipped every year. In the mountains are large areas of grazing lands that are not adapted for farming and the permanency of the stock industry is assured.

The area devoted to agriculture increases yearly. Farming without irrigation has been demonstrated to be generally successful, but the chief production is from irrigated lands in the Jefferson and Boulder valleys. The Jefferson valley which slopes to the Jefferson river extends from Three Forks to Twin Bridges and embraces Jefferson Island. A number of smaller but very rich valleys branch off from the North valley. White Tail Deer, Fish and Pipestone creeks water this section which contains many fine farms. It is a wonderfully fertile and well cultivated country.

The Boulder river has a long valley in which are situated many productive grain and stock ranches. Prickly Pear valley has the advantage of being near Helena.

Oats, winter wheat, rye and hay are the chief crops. Irrigated oats yield from twenty-five to fifty bushels per acre and a bushel often weigh forty-four pounds. Winter wheat and rye yield from thirty to fifty bushels on irrigated and from fifteen to forty on non-irrigated land. Native grasses make excellent hay and alfalfa yields from three to six tons to the acre. Butter, eggs, vegetables and fruits are sold in many mining camps and the large markets of Helena and Butte are in part supplied from this county. Diversified farming is pursued by many and dairying is profitable. Hardy apples produce abundantly. In addition to precious metals are deposits of limestone and cement rocks. There is excellent granite in Jefferson county only ten miles from Helena. In the limestone formation north of Jefferson canyon is the wonderful Morrison or Lewis and Clark cavern, one



of the most beautiful and extensive caves in America.

Boulder, the county seat, is situated in the central part of the county, thirty-seven miles from Butte, and thirty-five miles from Helena. It is a thriving town with good schools, churches, banks, business houses, a newspaper, and many attractive residences. It is the home of the State School for the Deaf and Blind.

Whitehall is the chief trading point in the southern part of the county and of the Jefferson valley. It is located in the center of the valley and was established in 1887 when the Northern Pacific was built through this section. It is perhaps also the most populous town, is a railroad junction point and has good schools, churches, and large business establishments. Piedmont, a new town on the Milwaukee road, is in a good farming section. Many orchards have been planted, and vegetables are extensively grown. The giant potatoes served on the dining cars are grown near this place. Basin, in a mining region, is where the Heinze mill and reduction works are situated and has commercial establishments, churches, and schools. Clancy, on the Great Northern, is in a prosperous mining and agricultural region and is an important railroad point. Corbin and Wickes are centers of mining activity. Elkhorn is where the famous Elkhorn group of mines is located.

In Jefferson county are four noted mineral springs that are visited by many invalids, who are benefited by the waters, and by others in search of recreation. Alhambra and Sunnyside are on the Great Northern Railroad fifteen miles south of Helena and Boulder Hot Springs are near the county seat where a costly hotel building has recently been erected. Pipestone Springs, on the Northern Pacific Railway twenty-six miles from Butte, is a favorite resort.

In the Jefferson valley are the lines of the Chicago, Milwaukee and St. Paul, and Northern Pacific railways and the latter road has a branch line extending from Helena to Elkhorn. The Great Northern passes through

the northern part of the county and affords railroad facilities for the mining camps. A survey has been made for an electric line from Helena to Butte.

The average wealth production per capita is high.

The population was 5,330 in 1900 and 5,601 in 1910. The assessed valuation of property in 1908 was \$5,132,900 and in 1911 \$5,934,079, an increase in three years of fifteen per cent.

The unreserved and unappropriated public lands in Jefferson county in 1908 were 274,310 acres and 231,463 acres in 1911.

#### CHOUTEAU COUNTY.

Chouteau county was named for Charles P. Chouteau, the fur trader whose history is identified with that of old Fort Benton. Prior to its division in 1911 this was the largest county not only in the state but in the entire United States. Situated immediately south of Canada it covered a vast territory extending one hundred and sixty-eight miles east and west and one hundred and eight miles north and south. With an area of 15,439 square miles in 1910 it had but 17,191 inhabitants. It was far too enormous for the convenient administration of its affairs. Fort Benton, the county seat, is located in the extreme southwest portion, and the county was so large that people in some parts, in order to get to the county seat were compelled to travel two hundred, and in some cases, two hundred and fifty miles, of which distance in some instances, fifty or more miles had to be traveled before the railroad was reached. This condition led to an agitation to remove the county seat to Havre, but it developed that the real sentiment was for division, and to avoid any county seat removal fight, a convention was held at Havre, October, 1909, to discuss the matter of division. The result was an agreement, signed by the entire delegation from the towns represented at the meeting, to work for a three county division before the coming legislature.

The Havre convention agreed upon the following division: draw a line from the Canadian line south to the Missouri river, three miles

west of the range line, between ranges 17 and 18. Thence draw another line between townships 30 and 31, beginning at the west boundary line of the county, and running each to the range line between ranges 8 and 9, thence south to the line between townships 28 and 29, and thence west to the first line mentioned. Everything west of the north and south line constitutes one of the new counties, and everything lying west of the line, and north of the east and west line constitutes another new county, the remainder to be Chouteau county.

Chouteau county is for the most part prairie land. The Bear Paw mountains rise in the eastern section and the Little Rockies and the Highwood ranges are in the southern portion. The rivers are the Missouri, the Teton, the Marias, the Milk and the Arrow. The Missouri river crosses the county and for many miles separates it from Fergus county. The elevations are not generally high, and the mountainous area is not large.

Rough lands border the rivers at places, but perhaps three-fourths of the county consists of prairies, plains and rolling hills.

The average precipitation of northern central Montana is about seventeen and one-third inches and in some localities near the mountains it is above twenty. "Throughout the year the distribution," says the government weather report, "is especially favorable for agriculture since more than half of the annual amount falls during the four principal growing months, April to July, inclusive."

The annual mean temperature is 40.4 at Chester, 41.9 at Chinook, 44.1 at Fort Benton, 41.9 at Havre and 38.8 at Gold Butte. Chinook winds are more common than in other parts of the state and modify the cold of winter. A comparison of temperatures shows that Havre is warmer during the winter than any point along the Great Northern in Minnesota or North Dakota. Records kept at the places named for periods ranging from thirteen to thirty-eight years show the mean temperature for the months of November, December, January, February, and March, according to the table published in the Havre

*Promoter* to be: At Havre, 21.5 degrees; at St. Paul, 21.1; at Duluth, 18.8; at Morehead, 13.7; at Crookston, 13.1; at Pembina, 8.9; and at Sault Ste. Marie, Michigan, 20.6. The mean winter temperature of Havre is practically the same as that of St. Paul, but the climate is more agreeable. There are more days of sunshine; and owing to the lack of humidity in the atmosphere when the temperature is at zero at Havre the cold is less chilling than it is at St. Paul when the thermometer is fifteen degrees above zero.

There is timber in the mountains, but few trees away from them. Coal, which is relied upon for fuel, crops out at many places, and is mined at Havre, Big Sandy and Chinook. One of the most productive gold districts of Montana is near Zortman in the Little Rockies.

The stock industry is a leading one and before its division the country ranked second in value of livestock. Cattle and sheep in great numbers flourish on the nutritious native grasses that everywhere abound. Fort Benton, Havre, Chinook and Harlem are the centers of this industry.

The soil for the most part is fertile and produces large yields of wheat, oats, barley, rye, flax, corn, root crops, alfalfa and blue-joint grass.

A remarkable growth in the number and production of farms has taken place in the past four years, before which time farming was chiefly on irrigated tracts. The Milk River valley is very extensive and many acres near Havre, Chinook, Harlem and Dodson are irrigated, besides smaller areas in other parts. Great crops are grown on irrigated lands, and the irrigated acres will be greatly increased when the Milk River reclamation project is completed. The increase in the number of farms and the production of farm products is due to the settlement of bench and prairie lands, back from the valleys, and their cultivation without irrigation. Large crops have been harvested in almost every instance by farmers who have followed the approved methods of cultivation.

The products of the unirrigated farms of

Chouteau county displayed at the Montana State Fair of 1911 were wonderful both in quality and variety and received many prizes.

The transition from a range country to a grain growing country is here but in its first stages. But it is to be noted that in portions of this country sufficiently remote from each other to give the assurance of similar results in practically all portions, grain yields have been good for several successive seasons.

Winter wheat properly grown has frequently shown twenty-five bushels to the acre, and in some instances the yields have been higher. Oats yield from thirty-eight to sixty bushels, the yields approaching the latter figures coming from careful preparation of the seed bed and equally careful farming. Well grown crops of flax have yielded better than twelve bushels, and alfalfa yields on these lands without irrigation from two to two and one-half tons per acre.

Not until very recent years has there been anything like a fair appreciation of the productive capacity of these bench land loams in the growing of vegetables and root crops without irrigation.

There are many roots and vegetables that mature early enough to escape the dry season, and these plants as a class do not require a great deal of moisture. There is no reason why every farmer who farms without irrigation should not have a garden to supply his family with vegetables, and to furnish a source of income.

While the growing season in the Fort Benton section is comparatively short, the length of the summer days of sunshine makes up for the lesser number. Peas, beans and potatoes develop to perfection here, and of the latter, farmers hereabouts every year ship carloads to outside points.

This vicinity is known as the "Big Grass Country." Two classes of barley, the hulless and the two-rowed, have been successfully grown. The hulless barley is early maturing, and one of the best dry farm spring grains.

It yields an average of nearly twenty-five bushels to the acre and its bushel's weight is sixty pounds. It has high feeding value for all classes of livestock. The common two-rowed barley is a little slower in maturing and does not yield quite so well as the hulless, yet it gives very profitable returns.

One of the most promising upland farm grain and forage crops is the corn. The earlier maturing strains have been grown over the state and grain yields ranging around forty bushels, with forage yields of three tons to the acre, have been harvested. Alfalfa, broom grass, tall oat grass, and corn fodder may be profitably raised. Alfalfa has been grown in all sections of the state and is well adapted to the lands such as surround Fort Benton. During the past six years alfalfa has been raised on the various sub-stations throughout the northern Montana, the yield ranging from one to three tons, with an average of approximately two tons per acre harvested.

As mentioned above, good yields of corn fodder have been harvested. This indicates good feeding possibilities and suggests the great dairy development which always comes where corn is raised.

In addition to the standard stock feeding crops, some of the root crops, like mangels and sugar beets, may be profitably raised and will furnish cheap feed. Since the feeding of livestock is bound to be one of the most profitable of the farm activities, and valuable feeding crops may be raised, there is no reason why the farmers of the "Big Grass Country" should not become extensive and successful feeders and dairymen.

The Montana Central division of the Great Northern runs from Havre crossing the county from northeast to southwest and affords communication with Great Falls, Helena and Butte.

Fort Benton, an old, rich and historic town, situated at the head of navigation on the Missouri river, is the county seat and is the commercial and financial center of an extensive



country. It has a daily newspaper, large banks and business houses, and many costly business buildings and residences.

The population of Chouteau county in 1900 was 10,996 and 17,191 in 1910, an increase of 56.3 per cent. The assessed valuation of property in 1908 was \$12,632,632 and \$17,862,407 in 1911 before its division, an increase of forty-one per cent in three years.

#### LEWIS AND CLARK COUNTY.

Lewis and Clark county, which was originally named Edgerton for Sidney Edgerton, the first territorial governor, is situated on the eastern slope of the Continental Divide. The main range of the Rocky mountains passes through it somewhat to the west of its center; in its northeastern portion is the Bird Tail Divide and marking its southeastern boundary is the beautiful Big Belt range.

The county is well watered. The Missouri river drains its southwestern section, flowing through the Prickly Pear valley, thence finding its exit through the Gate of the Mountains in the Belt range. The Dearborn river flows through the central part and the northern boundary is formed by the Sun river. All of these rivers have many tributaries; numerous other streams rise near the summits and are fed by the snows of the mountains.

Within the county limits are two thousand five hundred and seventy-two square miles. Much of this area is agricultural land. The chief farming districts are the valleys of the Prickly Pear and Missouri river situated immediately east of Helena and in the northern part of the county from the Dearborn to the Sun river. The Prickly Pear is one of the oldest agricultural valleys in Montana and the slope of its uplands are well adapted to dry land farming. Agricultural development has been stimulated in the Augusta vicinity in the north by the beginning of construction of a railway from Great Falls. The country near Helena has likewise received an impetus

by the success of crops at the experiment station not far from East Helena where in 1911 on unirrigated ground yields were made of 38.13 bushels of Sixty Day oats, 43.31 of Swedish Select oats, 25.30 of barley, and 27.67 of Turkey Red wheat. Individuals have obtained as large or larger yields and the experiments show that it would be profitable to farm the 300,000 acres of virgin lands tributary to Helena. Fruits also grow successfully and several orchards have been set out. Soil and climatic conditions are favorable for the Prickly Pear valley to become a great fruit district, and for fruits, vegetables and farm products there would be a ready market at Helena and in other mining towns. Professor F. B. Linfield, of the Montana Experiment Station, says of it:

"The soil over nearly all of the valley, and especially of the land at present not irrigated, ranges from a sandy to a clay loam, but there appears to be a very little of what would be called light sandy soil or of the very heavy clay. Such a soil warms up readily in the spring and is favorable to rapid plant growth. It is also easily worked and can be kept in good condition with a minimum of effort. From the nature of the vegetation at present upon the ground, I would judge the soil to be as good for agricultural purposes as valley land to be found in any part of the state."

There are more than 75,000 acres in the Prickly Pear valley and vicinity that can be irrigated at small cost by pumping water from Lake Hauser, an arm of the Missouri river. An agreement is now being signed to water 8,000 acres, thus creating the first unit of a district, under an excellent law recently passed by the Montana legislature. It is the intention to commence work immediately upon this district and it is believed that it will soon be completed.

The climate of Lewis and Clark county is favorable to farming. The following precipitation chart and weather report will give a clear idea of the meteorological conditions:

## THE CLIMATE.

Tables prepared by R. F. Young, Section Director, United States Department of Agriculture Weather Bureau.

## MONTHLY AND ANNUAL PRECIPITATION FOR PAST SEVENTEEN YEARS AT HELENA, MONTANA.

	Jan.	Feb.	Mar.	Apr.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Annual.
1895...	1.95	1.69	.29	.53	.87	1.30	1.18	.14	.57	.28	.77	1.12	10.69
1896...	.72	.59	1.71	1.23	2.25	5.71	.89	.86	2.54	.24	3.29	.35	15.38
1897...	.80	1.49	1.23	1.15	1.14	3.66	1.89	.52	.66	.81	2.22	.59	16.16
1898...	.20	.52	2.39	.56	4.88	3.52	1.71	.71	.87	1.10	.66	.28	17.40
1899...	1.60	.53	1.27	.70	1.98	.84	.63	1.26	.64	1.45	.26	.62	11.78
1900...	.03	.64	.90	2.49	3.22	.19	.23	.59	1.39	1.21	.30	.43	11.62
1901...	.56	.44	1.05	1.58	4.11	1.83	.40	.17	2.63	.07	.16	1.71	14.71
1902...	.14	.46	.58	.60	3.61	.46	1.98	.32	.39	.21	.59	.75	10.09
1903...	.69	.09	.92	1.57	1.64	1.09	1.90	.83	.90	.28	1.09	.36	11.36
1904...	.38	.67	1.37	.18	1.20	.88	1.39	.72	.01	.27	.03	.39	7.49
1905...	.20	.27	.98	.64	2.09	2.75	1.05	.21	.34	.47	.97	.11	10.08
1906...	.64	.65	.70	.83	2.96	1.78	.15	1.79	1.29	.15	1.38	1.96	14.28
1907...	1.29	.74	.64	.80	1.04	4.20	1.28	1.00	.81	.58	.13	.23	12.74
1908...	.50	.29	.68	.52	6.19	4.76	1.40	.90	1.81	1.88	.18	.52	19.63
1909...	1.38	.41	.55	1.33	2.40	4.30	1.84	.42	2.14	.27	.51	.59	16.14
1910...	.80	1.18	.04	.34	1.43	1.90	.61	1.06	1.77	.84	1.64	.17	11.78
1911...	1.75	.22	.48	1.05	2.07	3.32	.67	.87	2.24	To Sept. 30, 1911			12.67

## MONTHLY AND ANNUAL TEMPERATURES COMPARED WITH OTHER LOCALITIES.

	Jan.	Feb.	Mar.	Apr.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Annual.
Helena.....	20	22	31	42	52	61	67	66	56	44	33	25	43
Bismarck, N. D....	8	8	22	43	55	64	70	68	57	44	26	15	40
LaCrosse, Wis....	16	19	31	48	59	68	73	68	62	51	35	23	46
Houghton, Mich...	14	16	24	37	50	59	65	63	56	45	32	21	40
Pierre, S. D.....	14	17	30	46	59	69	75	72	63	49	32	20	46
Dubuque, Ia.....	18	22	33	49	61	70	75	72	64	52	36	24	48

Average date of last killing frost in spring, May 7; average date of first killing frost in autumn, September 28.

Average hourly wind velocity, 7 miles; prevailing direction, southwest.

Average number of clear days, 124; partly cloudy, 136; cloudy, 105.

Average number of days with more than a trace of precipitation, 98.

Extending almost in a semicircle about

Helena is a wonderful gold reef. This great zone begins near Marysville and runs to Radersburg, a distance of almost one hundred miles. The existence of vast gold deposits along certain portions of this reef has been known for many years. Millions of dollars have been taken from Marysville, Unionville, Elkhorn, Winston and Radersburg, but the relation that these camps bore to each other, the fact that each was but a link in the chain form-

ing one of the greatest mining districts in the world has been realized but a comparatively short time.

In the reaction after the excitement of gold mining in the early days little of consequence was done in development work in this section. However, at a dozen places on the big gold belt there is renewed activity and increased production.

Not only are new mines being developed successfully but old districts that were considered practically worked out are giving promise of a greater output of precious and semiprecious metals than ever before. This is particularly notable in the Marysville, Corbin-Wickes district, and the Radersburg district and similar results are predicted to follow in the Owyhee section south of Helena.

Every year a considerable quantity of gold is recovered from the placer diggings of the early days. It is believed that much land of this character which could be profitably worked with gold dredges will be found on further explorations. A gold dredge costing \$150,000 was installed in 1911 at Magpie, near Canyon Ferry and a large increase of placer gold production is expected as a result of its operations. Near Lincoln are placer grounds that have been yielding gold for many years.

During the last two years the attention of Montana has been largely centered on the development of the agricultural possibilities of this state, and the numerous mining activities have passed comparatively unnoticed. Now, however, it is apparent that in the country immediately surrounding Helena mining is again coming to the front and bids fair to exceed even its old time prominence.

Helena is the county seat of Lewis and Clark county and the capital of Montana. The city is beautifully situated in the southern part of the county, at the western entrance to the fertile Prickly Pear valley, within full view of the majestic Big Belt mountains and near the Missouri river. It is built around the famous Last Chance Gulch which yielded such fabulous quantities of gold in the '60s.

From a commercial standpoint Helena is

favorably located. It has one of the greatest developments of water power in this country. Two immense dams and generating plants have been completed and a third is under construction on the Missouri river. When completed the three dams will develop a total head of two hundred and twenty feet and will render available one hundred thousand horse power. This tremendous power can be used with small expense on ranches, in mines and factories. It is transmitted in great quantities to Butte on the other side of the Main Range. The manufacturing industries are many and varied. At East Helena, a suburb, the American Smelting Company operates a smelter where the ores from adjacent mines are treated.

Helena is on the main line of the Northern Pacific Railway at the intersection of the Rimini and Marysville branches. The Great Northern, through the Montana Central division, gives communication with the main line at Havre, the Chicago, Burlington & Quincy at Great Falls, and the Oregon Short Line at Butte. One of the most important projects of the immediate future is expected to be the building of the Mondak-Helena cut-off of the Northern Pacific which will open up agricultural and mineral lands that are now remote from railroad communication, thus bringing the central-eastern portion of the state into direct business relations with Helena. It is predicted that the Chicago, Milwaukee and St. Paul Railroad will extend its tracks into Helena and a route has been surveyed for a projected electric line between Helena and Butte.

The population of Helena is composed largely of capitalists and for this reason the city is unusually well built and its improvements carefully maintained. The state capitol, a handsome building to which two large wings have recently been added, contains the offices of the various state executive officials, the supreme court, and the chambers of the two branches of the legislative assembly.

Among the business blocks and residences are many handsome structures. The Broadwater natatorium is said to be the largest in





MAIN STREET, HELENA, IN 1870.

the world. A new hotel has just opened its doors to the public.

Educationally Helena occupies a prominent place in the northwest. On its outskirts is the Montana Wesleyan University, the endowment of which has just been substantially increased through the generosity of James J. Hill. The Deaconess School for young children is a prosperous institution. There are two business colleges. The Roman Catholic church maintains parochial schools and a high school, St. Vincent's Academy for girls under the direction of the Sisters of Charity and Mount St. Charles College for boys which was opened in 1911. Besides these sectarian institutions the city has an excellent public school system with graded schools and a high school.

Helena is also an important religious center. It is the home of the Roman Catholic bishop of the diocese of Helena, and also of the Episcopal bishop of Montana. The latter denomination has just completed a modern and extensive hospital, St. Peter's.

A Catholic cathedral, one of the most pretentious church structures in the west, is now nearing completion. There are many benevolent institutions including the House of the Good Shepherd, the Florence Crittenden Home, and others.

Through the efforts of progressive and public-spirited citizens many of the streets are beautifully parked and planted with shade trees.

Each year in the month of September the state fair is held at the fair grounds in Helena. It is a great event not only in Montana, but to many outside the state who are interested in the development of the resources of the northwest.

James J. Hill, the railway magnate and industrial prophet, said of this fair, in a speech delivered at Helena, September 30, 1911:

"I have seen a great many fairs, a great many agricultural exhibits, but I have never anywhere seen an exhibit that was so uniformly good in every particular as I saw in that building over there.

"We used to think that Montana was a gold

state; a mineral state; later on they tacked on the cows and the sheep, but I will tell you that Montana is coming to her own and she is going to hold her head high among the agricultural states of the Union. You have at least from thirty to thirty-five million acres of as good land as the sun shines on, and if anybody does not realize the truth of that, let him go through those buildings here and see what you have to show for it.

"You cannot get away from it, and I do not believe there is a state in this Union that can make as good an exhibit on so many agricultural products as you have to-day. You ought to be proud of it. \* \* \* It speaks for your future, because, let me say, all of the civilization of the world that has been worth preserving has grown out of the cultivation of the ground.

"Rome's greatest historian and philosopher says that all the great and permanent victories won by man have been won by the plow. Deeds of the sword are nothing as compared to the victories won by the plow. Witness what you have done here. I was more than gratified to see your fruit crop, to see your corn crop, to see your grain, and, let me say to you, if there is one agricultural plant that is worth more than another, it is alfalfa, and the time is coming when Montana will shine as the great producer of alfalfa in this country.

"Take the alfalfa from the latitude further south, and the food value is but little more than one-half the food value of the Montana alfalfa.

"You will have use for your grain. You will have use for your corn and for your barley and your wheat, but the alfalfa will help them all, and it will help to preserve the fertility of your land. \* \* \* I say to you that you cannot—no matter in what direction—you cannot succeed as well as you can in cultivated fertile fields. Your mines have done great good; your cattle and your sheep and your live stock have done great good, and they have helped Montana to reach the position she now occupies; but she is now arriving at a time when she must come into the great rank of

agricultural states, and she must take her own rank, which is in the very front of it. And she will.

"Now, I wish everyone of you, whether you live in the city or whether you live in the country, to remember that all of your churches and all of your schools and all of your banks and your bankers and your lawyers and your doctors and your merchants and everybody else will have to close their doors and move away if the soil is not taken care of and made productive, as it ought to be, because everything—stop to think of it—everything in this world that has maintained a permanent prosperity, of any people, of any civilization, has always taken its place, its character and its vitality out of the soil."

The suburbs of Helena are East Helena, Kenwood and Lenox. About two miles from the city is the U. S. military post, Fort William Henry Harrison. This post is situated at the base of the foothills of the Rocky mountains on a reservation of one thousand and eighty acres, donated by the citizens of Helena. It was abandoned in January, 1913.

Other towns of Lewis and Clark county are Marysville, Gould, Rimini, Unionville, all mining communities; Augusta, which is the commercial center of the Dearborn and Sun River country; Craig and Wolf Creek to the east and many other small but flourishing towns, which promise to develop rapidly in the future.

#### GALLATIN COUNTY.

Gallatin county lies in the southwestern portion of the state. It is bounded on the north by Broadwater and Meagher counties, on the east by Park county and the Yellowstone National Park, on the south of Idaho, and on the west by Madison, Jefferson and Broadwater counties. It is generally mountainous in character, with rich valleys among the ranges and their spurs. The Bridger range rises in the northeastern section, and in the east, also, is the majestic Gallatin range. The county is watered by the Gallatin, East Galla-

tin, Madison and Jefferson rivers, with their multitude of tributary streams and creeks. The Gallatin river is the most important of these; it drains the rich valley of the same name. Gallatin county claims the distinction of being the pioneer agricultural county of the state. Farming there began in 1864 and the industry had grown until approximately 600,000 acres are under cultivation. The county had room for ten times its present population, a condition due to the large size of the ranches. One of 700 or 800 acres is not uncommon; forty acres or less is enough to support a family in comfort. New lands on the edges of the valleys are coming into cultivation every year and the large holdings are being divided and sold in farms of moderate size. The day of the large ranch has passed and the area of the little farm well tilled has commenced.

About 300,000 acres are irrigated and produce from 50 to 75 bushels of barley, 80 to 140 bushels of oats, 35 to 80 bushels of wheat per acre. Hardy varieties of apples, plums and cherries thrive; strawberries yield crops worth \$700 to \$1,200 an acre; radishes, lettuce, onions, peas, carrots, parsnips, beets, turnips, cabbage, beans, sweet corn, tomatoes, pumpkins, squashes, asparagus and celery are raised. Potatoes of the best quality are grown and the yield is from 300 to 500 bushels per acre. Red and alsike clover are extensively grown, as well as timothy and alfalfa. Yields of three to five tons an acre are usual. These crops and field peas make a system of crop rotation, following grain, and have a local market as feed for dairy stock and hogs. Dairying, poultry and hogs are profitable branches of farming.

The lands in the valley are usually irrigated; those on the foothills are farmed without irrigation, and have for many years produced excellent crops. The unirrigated land under cultivation approximates 300,000 acres.

The average production of grain per acre is believed to be unequalled. Reports collected from 192 irrigated grain fields embracing 14,000 acres gave an average crop of 58.2 bushels per acre, and of \$38.28 as the average



returns per acre. The average yield of oats was 76.4 bushels, barley 58.7, wheat 44.2, and potatoes 291.5 bushels.

From 76 dry land grain fields, embracing 7,490 acres, the average yield per acre was 42 bushels, and the average value of the crop \$35.39 per acre. Both irrigated and non-irrigated lands show a remarkable profit per acre.

Returns of crops on 80 farms in 1911 have been compiled, a noteworthy feature of the report being that in many instances the value of the crop exceeds the market price of the land that produced it. The lowest value per acre of wheat is \$27.00 and the highest \$65.80; the low yield was 36 and the high 71 bushels of fall wheat; but the grower of the first-named crop had 17,000 bushels. From 640 unirrigated acres near Salesville a farmer harvested 41,600 bushels of Turkey Red wheat, an average of 65 bushels to the acre. The lowest value per acre for oats was \$26.00 and the highest \$46.40. Of barley the lowest was \$37.50 and the highest \$61.50. Crops of potatoes that sold for \$240 per acre, and timothy seed \$100 per acre are reported.

On a plot at the Montana Experiment Station at Bozeman, Director Linfield raised 87.6 bushels per acre of Stanley spring wheat, and a prominent farmer is reported to have raised an average of 91 bushels per acre of Spring Club wheat on a four-acre tract. Another resident of Gallatin valley raised 176 bushels of oats to the acre on ground that grew potatoes last year. The world's record yield of oats was made, it is believed, in 1909, when a rancher grew on his farm near Bozeman 488 bushels of Swedish select oats on two and one-half acres of ground. A barley yield of 85 bushels to the acre and another of 1,015 bushels on 12 acres shows the excellence of these crops.

The quality of the grains has caused them to be in demand for seed and for shipment to flouring, cereal and malt mills. Barley from the Gallatin valley has been shipped to Europe, Japan and Australia. Gallatin county grains won many first prizes at the Chicago,

St. Louis and Portland expositions and the costly Pabst cup some years ago at Salt Lake for the best barley in the United States. At the great New York Land Show held at Madison Square Garden, November, 1911, first prizes for wheat, oats, barley and alfalfa were awarded to Montana exhibitors and Gallatin county won two of them. These prize-winning crops were grown on land that a few years ago was considered of little value. At the St. Paul Land Show of 1911 many first prizes were won by Gallatin county exhibitors, including the cup for "the best bushel of winter wheat grown in the American Northwest."

South of Squaw creek the country is a timbered, mountainous region, with deposits of coal and indications of copper and gold. It is a region of great scenic beauty and a favorite resort for fishermen and hunters. The pioneer coal mines of the state are at Chestnut.

The main line of the Northern Pacific crosses the county; the Butte branch goes west from Logan; and a branch is being built from Manhattan into the Camp creek section. The Chicago, Milwaukee & St. Paul passes through the northern end, and from Three Forks a branch extends through the valley to Bozeman. An electric line owned by this company runs from Bozeman to Salesville.

The chief towns are Bozeman, named for the famous pioneer, James M. Bozeman; Three Forks, Belgrade and Manhattan. Less than five years old, Three Forks has a population of nearly 1,500, large business houses and many civic improvements. It is the trading center for a large section, is a division point on the Chicago, Milwaukee & St. Paul Railroad, which has shops there and pays out monthly a large sum to employees. Manhattan is a milling and shipping point for a productive section. Belgrade is a thriving town in the center of the valley, has large flour mills and elevators, and ships great quantities of grain. Logan is a trading place for the lower Madison valley, and is a junction on the Northern Pacific Railroad. At Trident is a large cement factory.

The county seat is Bozeman, a city modern

in every respect, with fine residences, churches, schools, business blocks, mills and elevators. The city owns the waterworks; there are paved streets, many miles of cement sidewalks, parks, street car lines, and the grounds of the Inter-State Fair Association. The Montana Agricultural College, the largest educational institution in the state, with nearly five hundred students, the Montana Agricultural Experiment Station, the United States local land office, and the United States Fish Hatchery are located at Bozeman. It is a beautiful residence and educational city and an important business center. There are flouring mills, a cereal food factory, several elevators, a brewery and numerous small factories there. Every year in September Bozeman gives a "Sweet Pea Carnival," an unique festival that attracts thousands of visitors.

Many tourists are attracted to this section by the beautiful scenery. The climate is healthful, and the geology so interesting that professors of Harvard University bring students to study it in the field. The meadows and hills are carpeted with beautiful wild flowers. For the hunter are grouse, ducks, geese, bear, deer and elk. Prof. F. V. Hayden, the eminent explorer and geologist, said: "In no country are the varied phases of scenery better shown than in this. For the artist this country must open up a new world."

Gallatin county has an area of 2,352 square miles. The unappropriated public lands were 333,705 acres in 1908, and 56,374 acres in 1911. The population in 1900 was 9,553, and 14,079 in 1910, an increase of 47 per cent. The assessed valuations in 1908 were \$10,563,502, and \$14,275,649 in 1911, an increase of 36 per cent in three years.

#### MEAGHER COUNTY.

Meagher county is one of the counties of central Montana. It is separated from the Missouri valley by the Big Belt range, from Fergus county by the Little Belt mountains, and rising in its southern part are the Crazy mountains. The topography of this county,

with its flanking mountain chains, long gave it a certain isolation.

The Smith and Musselshell rivers and Sixteen Mile creek rise in its high altitudes, and many springs and lesser streams drain its valleys and low lands.

The principal farming districts are the Smith River valley in the northern part, the Musselshell valley in the southern part of the county and that section around Judith Gap.

The county has been for many years, and still continues to be, a great stock raising region. Mineral tracts of land were controlled by stockmen who used it to range huge herds of cattle and bands of sheep, and to raise such hay and grain as they needed to feed their stock during the barren winter months, when bunch grass and other native grasses were covered with ice and snow. The valleys have long been irrigated, but it is only within the past few years that farming has been done on unirrigated bench lands.

The Smith River valley is about 50 miles long and from 10 to 12 miles wide. Stock raising is the greatest industry, but many acres are under cultivation and large crops of wheat, oats, barley, timothy, alfalfa and vegetables are grown. The soil is very fertile. Yields of 50 to 75 bushels of oats, 35 bushels of winter wheat, and 53 bushels of spring wheat, 2 to 4 tons of hay are reported. In some favorable sections it is said that 30 bushels of flax to the acre have been raised. Oats often weigh 45 to 48 pounds a bushel. Many prizes have been won by Meagher county exhibits at state fairs. The agricultural development of this rich valley has been thus far retarded by lack of transportation facilities.

Another very productive section is the Musselshell valley, where there are some of the largest and finest ranches in the state. Near Martindale, Two Dot and Harlowtown are many productive ranches, both irrigated and unirrigated. The benches between the valleys are farmed with success, the soil is fertile and the annual rainfall averages 19 inches.

Great development has taken place in the country adjoining Harlowtown, and around

Judith Gap and Hedgesville on the Great Northern Railway. Average yields of grains are high and some remarkable record crops are reported. Thirty bushels of winter wheat are a common yield, and one as high as sixty bushels is recorded. Some of the banner crops are 60 bushels of oats to the acre, 40 bushels of winter wheat to the acre, 5,500 bushels of winter wheat from 150 acres and 350 bushels of flaxseed, 25 to the acre. The Harlowtown *News* says a farmer sold to the Great Northern Railway six cabbages that weighed 22 pounds, bushels of potatoes averaging more than a pound each, two bushels of carrots averaging five pounds each, one bushel of turnips averaging about ten pounds each, and one bushel of beets averaging about five pounds each.

The report of the clerk of school district No. 24 shows how rapidly the country is growing. The assessed valuation of the district increased from \$187,220 in 1910 to \$360,899 in 1911.

Ores of gold, silver, copper, lead, zinc and iron exist. Near Delphine there is some activity in mining.

White Sulphur Springs, the county seat, is picturesquely situated near the head of Smith river valley, eighteen miles from the Chicago, Milwaukee & St. Paul Railroad, with which it is connected by the White Sulphur Springs & Yellowstone Park Railroad. The waters of the wonderful springs that give the town its name possess qualities of great medicinal value. The water has a copious flow at 110 degrees. The springs have been bought by John Ringling, the circus owner, who intends to erect there a large, costly hotel and to provide the conveniences of a great health resort. The town has a high school, graded schools, churches, banks, hotels, and stores. Some of the large ranches in the neighborhood are being divided and sold in small lots and the population and business of the town is increasing.

Harlowtown, in the Musselshell valley, where the Judith Basin line joins the main line of the Chicago, Milwaukee & St. Paul, is the

most important town and has grown rapidly in population and business during the last three years. It is well built, busy and prosperous, and has a large hotel, business houses, banks, a newspaper and is the distributing point for a large agricultural and stock district. Railroad shops and a railroad pay-roll contribute to its commercial activity.

Judith Gap, on the Billings and Northern division of the Great Northern Railway, at the entrance to Judith Basin, is a flourishing new town in a very productive section. It is a division point on the railroad and in the large round houses and shops and the operating department many men are employed.

Meagher county offers excellent opportunities for the homeseeker to acquire good lands. Back from the valleys homestead lands may be found. The unreserved and unappropriated lands in 1908 were 631,408, and 402,914 acres in 1911. The population in 1900 was 2,536, and 4,190 in 1910. Meagher county lost 41 square miles and property assessed at \$18,796, and gained 73 square miles and property assessed at \$233,600 as the result of changed boundaries caused by the creation of Musselshell county. The assessed valuations in 1908 were \$4,869,370, and \$8,367,364 in 1911, a gain of 70 per cent.

#### CUSTER COUNTY.

Custer county occupies the southeastern corner of Montana. It has an area of 12,915 square miles and is drained by the Yellowstone river and its affluents, Tongue, Powder and Mizpah rivers being the chief of these. The rivers have valleys that vary in width from half a mile to seven miles. The country is mostly prairie land, diversified by occasional buttes and rolling hills. Col. Samuel Gordon, the well-known writer and editor, gives the following interesting account of this region, written about twelve years ago:

"Custer county, Montana, has a name and fame that are unique. Christened in honor of one of the bravest of American soldiers, whose last deed of prowess was performed within



its borders, it enjoys also the reputation of being the largest organized county in the United States, its vast domain being described by an irregular parallelogram 180 miles east and west by 125 miles north and south. Originally it was 'all the remaining portion of the territory of Montana not included in the counties before named,' so described by the legislature of 1872, and comprised most of what is now known as eastern Montana. Gradually ambitious communities have petitioned for a share of this magnificent estate, and the erection of new counties has in the past two decades materially reduced its area. \* \* \* Its topography is varied, 'bad lands,' high rolling prairies and rich bottom lands combining to form a whole that is so happily adapted to both stock ranging and agriculture. \* \* \*

"It is only twenty-three years ago last June (1899) that Custer fell at the battle of the Little Big Horn. Before that, as far back as the history of this continent goes, the Yellowstone valley was the undisputed possession of the Indian tribes of the northwest. Such knowledge of it as white men had was gained by hardy and fearless pioneers who at wide intervals attempted its exploration, being nerved thereto by vague stories of the treasures it contained, but their passage through the unknown land was always so stubbornly contested by the savage lords of the domain that there was scant time or opportunity for investigation, and up to the time of the influx of white settlement following the Custer massacre but little more was known of this great valley than is now known of the ice fields of the arctic regions. The Custer fight, the greatest victory of the allied Indian tribes, was also their greatest defeat, as it resulted in the immediate occupation, by their ancient enemy, of the great valley that had heretofore been held sacred to their uses; the loss of their last and most important base of military operations. The magnitude of the disaster sustained by Custer on that bright June morning of the centennial year aroused the country to the fact that there was a goodly portion of this great domain where practically another

flag and another sovereignty reigned supreme. A condition that only the army and the scattered pioneers of the northwest had been cognizant of, was suddenly brought to the attention of the nation, embellished by the details of a bloody horror that sickened while it enraged. The immediate occupation of the Yellowstone valley by the military was ordered, and for the protection of incoming settlers and to add to the effectiveness of the troops, two military posts were constructed, Fort Custer at the confluence of the Big Horn and the Little Big Horn—a few miles from the famous Custer battlefield—and Fort Keogh, at the confluence of the Tongue and Yellowstone rivers, each named for a hero of the massacre."

The mean temperature of Custer county is 44, the same as Wisconsin, the altitude is about 2,300 feet above sea level; severe storms are rare, and the air is dry. In an average year 175 days are clear, 125 partly cloudy, 65 cloudy and 80 rainy. The normal rainfall, about 15 inches, is sufficient for all properly cultivated crops. More than half of it falls during the growing season. Cottonwood and ash abound near streams and pine and cedar in the hills. The county is underlaid with lignite coal, which provides cheap fuel.

July 1, 1908, there were 6,151,857 acres of unappropriated public land and 3,975,397 acres July 1, 1911. In three years 2,176,460 acres were taken from the public domain in this county, nearly all by homesteaders.

Good water is obtained in wells at depths from 12 to 25 feet in the valleys and of 25 to 200 feet on the benches. Several large irrigating canals furnish water for about 61,000 acres and others are proposed.

Custer is the leading stock county of Montana, and perhaps no county in the United States has shipped more horses, cattle and sheep, or more pounds of wool. The greatest horse market in the northwest is at Miles City.

The transformation of Custer county from a stock to a farming country is proceeding with rapidity. Nearly every grain, vegetable and fruit known in the northern part of the

United States grows in Custer county. Oats, wheat, barley, rye, corn, cabbages, rutabagas, pumpkins, squash, egg-plant, cauliflower, tomatoes, cucumbers, peppers, radishes, peas, beans, celery, asparagus, make a partial list. Watermelons have a flavor and crispness that are unequalled, cantaloupes grow to perfection, and strawberries are of fine flavor, color and size. Peaches, pears, apples, crab-apples, gooseberries, currants and raspberries do well. There is a home market for fruit and vegetables and an unsupplied demand for alfalfa, dairy products, eggs and chickens.

Horses, cattle and sheep thrive on alfalfa, which is the leading crop, and sells at from \$5 to \$12 a ton. An acre, cut three times a year, yields from four to five tons. Oats yield from 50 to 100 bushels an acre, barley does well and 50 bushels of club wheat is an average yield.

The yields at the three Custer county experiment farms have been excellent. Equal or better results have been obtained on the bench lands. The quantity of land recently brought under cultivation is surprising. Between 25,000 to 30,000 acres are in cultivation near Terry, principally in flax, oats and wheat.

Good crops were harvested near Ismay from about 40,000 acres of grain and 8,000 of flax, and from about 40,000 acres of wheat, oats and flax near Baker. In the southeastern corner, far from railroads, settlers have come in and are doing well. On Fort Keogh military reservation an officer put in 200 acres, using improved methods for cultivating unirrigated land, and obtained good yields. A man near Ekalaka harvested a little over two bushels from two pounds of flaxseed. Around Carlyle fifty traction outfits have been at work. The country is developing rapidly, and no section of Montana can show better wheat yields.

At the state fair, Custer county had a remarkable display of corn, which is becoming an important crop. All vegetables and root crops grow profusely. The prize pumpkin at the Montana State Fair of 1911 was a Custer county product, and weighed over ninety

pounds. A display of honey attracted much attention.

In Custer county are many opportunities for the homeseeker to acquire good farming lands under the homestead law or by purchase at a low price. Land is advancing as a result of settlement. The Northern Pacific Railway owns many acres, and some large ranches have been divided into farming tracts and placed on sale. The older settled districts are near railroad lines and agricultural development of the vast back country will quickly follow the construction of new railroads.

The Northern Pacific Railway follows the Yellowstone river through the county; the Chicago, Milwaukee & St. Paul Railroad cuts across the northeastern corner to the Yellowstone river, crosses near Terry and follows up the river to the western boundary.

The chief towns are Miles City, Terry, Fallon, Ismay, Baker and Ekalaka. In the southeastern part, fifty miles from the railroad, is Ekalaka, the center of a great stock country and the trading point for a large region. Baker, a new flourishing town on the Chicago, Milwaukee & St. Paul Railroad, is in the midst of a large prairie country into which many settlers have come, and has good business buildings and residences, a weekly paper, and a lake that adds to its attractiveness. Ismay, on the same road, has made similar growth, and has perhaps more costly buildings. Fallon, in the Yellowstone valley, is a supply point for an established farming district and for a region of bench lands that is being cultivated. Terry, the second city in population and business importance, located where the line of the Chicago, Milwaukee & St. Paul crosses the Northern Pacific, has had a decided growth since the construction of the former road, has elevators, business houses, banks, a weekly newspaper and is surrounded by a productive agricultural country. An expensive bridge crosses the Yellowstone and affords access to a large region on the north side that contains much good farming land.

Fort Keogh was founded in 1878 by Gen.



FIRST NATIONAL BANK, MILES CITY, MONTANA. CAPITAL, SURPLUS AND PROFITS, \$375,000. DEPOSITS \$2,000,000.

Organized 1882. Third oldest National Bank in state. Built 1911. Indiana Limestone, cost \$100,000. Grecian marble and mahogany fixtures.



Nelson A. Miles. It is situated about two miles from Miles City. For many years during Indian hostilities it was the greatest cavalry post in America.

When the war department decreed that the western military posts should be abandoned, Fort Keogh shared the general fate. The old post, once the scene of such activity, stood empty and deserted for several years,—a place of many memories. Then it was decided that as excellent cavalry horses were raised in eastern Montana, Fort Keogh should be used as a remount station for the breeding and training of horses for the cavalry service. The old buildings were remodeled, new stables and other structures added and the horse raising put in the hands of an expert cavalryman.

The remount station, as it exists today, covers a hundred square miles. Thousands of horses are bred and broken there, then shipped as they are required to all parts of the United States to be used in the cavalry. There are just three remount stations in this country, and of these the one at Fort Keogh is the largest.

The metropolis for all this great, undeveloped empire is Miles City, the county seat, located at the junction of the Tongue and Yellowstone rivers. The population is about 6,000. A writer has said that "History for Miles City and all that part of Montana east of the Rockies began one June day in 1878, when the Sioux and Cheyennes blotted out the lives of Custer and his men in this same county."

In the autumn after the Custer massacre on the Little Big Horn, Gen. Nelson A. Miles, then a colonel, came to what is now Miles City and built a cantonment just across the Tongue river, where the city waterworks now stand.

Miles City is a great wool, live stock and horse market. The fact that it has for a number of years been the leading range horse market of the United States had more to do with the location of a remount station at Fort Keogh than any other factor.

These horse sales are conducted by an institution well known to every horse buyer in the

United States. It is from here that many of the dealers in western horses get their animals and ship them to eastern markets. Twice a month during the summer the buyers gather from all parts of the country and bid in the auction ring for their stock. Carload lots are snapped up in a minute's time, and during the four days of the monthly sale, several thousand head of stock pass under the hammer. The yards, located on the Northern Pacific right-of-way, cover thirty acres, are well sheltered by native trees and reproduce closely the familiar ranch surroundings to which the horse is accustomed. The fact that twenty-five thousand horses annually pass through these yards into the hands of eastern buyers, indicates the enormous business in horseflesh centering in Miles City.

Other busy places during the season are the wool warehouses, of which there are two. Miles City ships about ten million pounds of wool to Boston markets every year—wool that is worth about \$2,000,000 on a good market. During the buying season the buyers come from the east by scores, establish a sort of temporary wool exchange at the warehouse, and bid for the clips. The great strings of wool freighting outfits made up of 4 or 5 wagons hauled by 12 or 14 horses are a picturesque feature of the landscape.

The population of Custer county was 7,891 in 1900, and 14,123 in 1910, an increase of 79 per cent. The assessed valuation of property in 1908 was \$11,192,110, and \$18,254,261 in 1911, an increase in three years of 63 per cent.

#### SILVER BOW COUNTY.

Silver Bow, the richest and most populous county of Montana, is, curiously enough, the smallest, having an area of 709 square miles. It was formerly a portion of Deer Lodge county and lies in the western part of the state. The main range of the Rocky mountains and spurs containing imposing peaks, rise in the vicinity of Butte. The drainage is from the Big Hole river and mountain streams and creeks.

The county derives its importance and prosperity from the wonderful copper and zinc mines of Butte, which are worked on an enormous scale. There are dairies and vegetable gardens, but the area devoted to farming is small and no considerable increase in the quantity of land under cultivation is to be expected.

The population of Silver Bow county in 1900 was 47,635 and 58,818 in 1910, an increase of 23 per cent. The assessed valuations were \$32,930,553 in 1908, and \$36,705,161 in 1911, an increase in three years of 11 per cent. The mines, which have a value estimated at approximately \$500,000,000, are not included in the valuations. The population is nearly all in the city of Butte, which is the metropolis of Montana, and in contiguous suburbs that practically, but not legally, are parts of the city. These suburbs are Centerville, Walkerville and Meaderville. Centerville has a population of 2,500, Walkerville of 2,491, and at Meaderville are 1,838 persons. Butte, proper, had a population of 30,470 in 1900, and of 39,065 in 1910, an increase in the decade of 28 per cent. A large proportion of Butte's population is foreign and the city is unusually cosmopolitan.

All the copper that has been produced in Montana has come from the mines of Butte, except a relatively small amount. A great part of the silver and gold have also been produced there as by-products of copper mining. The zinc production of the state is from Butte ores. In view of these facts some idea of the enormous wealth that the mines there have produced and are yearly turning out may be formed. The Butte mining district is the most productive area of its size in the world, and the mining, handling, and treating of ores are conducted by the most modern methods. In no mining district is labor better paid. The Butte miners receive in wages about \$1,500,000 a month, and, in addition, the mines support an army of smeltermen, railroadmen, mechanics and others. The combined pay-roll makes Butte the greatest wage-receiving city of its population in the world.

Formerly it was believed that the great copper veins were confined to the Anaconda Hill, a low, crescent-shaped hill, where the Alice, Anaconda and the entire group of the other original mines, and situated. This theory has been exploded by development work in the Pittsmont property, which revealed rich copper deposits far to the south on the level of the "flat;" and by equally promising veins to the north, east and in almost every direction. Still, with all the new prospects opening up the old mines show no indication of exhaustion.

The output has varied, owing to market conditions, the production ranging from 275,000,000 to 312,000,000 pounds of copper in the last four years, but it is usually large enough to put Montana in the first place in copper production, and added to silver mined elsewhere in the state, first in the production of silver. Butte's mineral output approximates 30 per cent of the copper mined in the United States, 25 per cent of the copper produced in North America, 17 per cent of the copper production of the world. More silver is mined here than in any other district in America. The mines consume annually about 65,000,000 feet of timber, 225,000 stulls, and contain 1,000,000,000 feet of timber. They use 4,000,000 pounds of giant powder every twelve months. The underground workings of the mines aggregate over 900 miles. The deepest shaft is 2,900 feet. There is sufficient ore blocked out to run many of the great mines at their present capacity for many years without further development, but vast sums are spent annually in sinking, prospecting and other work, and constant improvements are being made to secure greater efficiency in operations.

Of the work done in 1912, the deputy state mine inspector says in his report:

"In the beginning of the year 1912, production was somewhat curtailed, owing to the low price of copper, but within the last eight months the mines have been running steadily, and at the same time a great amount of necessary improvements have been made. The latter consisted principally of changing hoisting engines from steam to air, but when one mine

or two closed on account of this change, production was increased in others to make up for those closed, making the production nearly normal, which is about 15,000 tons per day, and giving employment to over 12,000 men, which represents over \$1,500,000 pay-roll per month of real money to be distributed to all classes, business people in Butte and the state in general.

"There is no doubt that Butte is the greatest mining camp on earth, considering what it has to do to compete in an open market with the product where mines are worked with cheaper labor and longer hours and steam shovels.

"Nature has been good to Butte, so has John D. Ryan and John G. Morony, and combined they have given to Montana one of the greatest waterpower systems in the country to generate electric power, which consists of the Missouri Power Company, Madison River Power Company, Big Hole Power Company, Helena Power Company, and the Great Falls Company, within a distance varying from 50 to 180 miles of us.

"They have recently organized a company for \$100,000,000 to develop this wonderful enterprise, which is doing more to reduce the cost of mining than any other thing. Within the next six months all the Anaconda Company's hoisting engines of Butte will be running on air instead of steam, which is about two-thirds cheaper, which is one of the principal factors in lowering the cost of mining.

"All mining and smelting plants are now using electric power. The use of compressed air is a great benefit, doing away with the heat caused by steam."

The report made November 30, 1912, by the deputy state mine inspector, announces that the mines of Butte gave employment to 12,000 persons, as follows: The Anaconda Copper Mining Company employs 7,339 miners, 1,699 surface men and 3,176 in miscellaneous work. Grand total, 12,214. The North Butte employs 700 miners and 300 surface men; the East Butte 150 miners and 200 surface men; the Butte and Superior 300 miners and 500 surface men; the Brundy properties 20 min-

ers and 21 surface men. Besides those mentioned above numerous men are employed in smaller mines and prospects.

Experiments made during the past two years in treating by new methods the zinc ores that exist in great quantities, have met with a measure of success that has made the production of zinc in Montana reach large proportions.

It is said of the Butte and Superior:

"Indicating the extent of operations at the Butte and Superior property it is a significant fact that when in full operation the company will be producing half as much zinc in metallic form as the Anaconda Copper Mining Company, with all of its mines in full operation, is producing in pounds of copper.

"If the zinc in the Butte and Superior mine now blocked out could at once be reduced to metallic form it would form a solid block 10 feet high, 100 feet wide and 600 feet long."

The mill on the property is now treating 800 tons a day. The recovery is about 85 per cent of the mineral contents of the ore.

The work of constructing a concentrator by Senator W. A. Clark, for treating the zinc ores from the Elm Orlu mine, has been commenced, and it is probable that this plant will be in successful operation within the next six months. Other new ore reduction enterprises of the year are the building of a leaching plant by the Bullwhacker Mining Company and the beginning of work on a leaching plant in the vicinity of Columbia Gardens by Capt. A. B. Wolvin.

Although a considerable quantity of copper ore is treated at the Pittsmont smelter of the East Butte Company and zinc ore is concentrated at the mill of the Butte and Superior, by far the greater part of the ores mined in Butte are smelted at Anaconda and Great Falls. In 1911 the Anaconda Company completed the building of the Washoe Sampling Works, one of the largest and most perfectly equipped structures of its kind in the world. The main portion of the plant is 100 feet long, 60 feet wide and 80 feet in height. It has four



floors, besides the pit, and has a capacity for handling 500 tons of ore every eight hours.

Butte, which has been known as "the Greatest Mining Camp on Earth," is much more than that; it is the most populous city in the northwest in the great extent of country that lies between Minneapolis and Spokane; and apart from its unequalled mining interests, is an important financial, railroad, commercial and distributing center. Years ago it emerged from the mining camp stage of existence when the fumes from the smelters poisoned the air and killed vegetation; it is now a modern, progressive, permanent, well built, growing city that is, nevertheless, unique and different from any other place in the world.

The price of copper metal and shares of copper mining companies vary from month to month, but the Butte mines go on producing. The chief difference is in the size of the dividends distributed; the pay-roll is always immense, and "Butte," as has been said, "eats as regularly and as often one year as another. It is a town where money circulates."

Butte is a railroad center. Transportation facilities are provided by the Northern Pacific Railway, which has branches connecting with the mining districts of Madison county; the Chicago, Milwaukee & St. Paul Railroad, the Great Northern; the Oregon Short Line and the Butte, Anaconda & Pacific. Butte is the terminus of the two last named roads and of the Montana Central division of the Great Northern, which extends by way of Helena and Great Falls to Havre. A survey has been made for an electric railway to Helena, a direct line to the Bitter Root valley is talked of, and a company to build a line from Butte to Boise has been incorporated. No other city in the world of like population shows such a railroad tonnage. Tables compiled three years ago showed that 16,000 cars of freight either originate in, or are received in Butte each month, and more than 1,000 cars containing merchandise. Over steam roads Butte handles annually about 17,280,000,000 tons of freight, most of it ore, enough to make 5,485 trains of 35 cars each; for every hour

of every day, through every week of every month of the year Butte pays more than \$1,000 to railroads for freight, or \$24,000 daily, or \$9,000,000 annually. The Northern Pacific has a handsome station, the Great Northern Company is constructing a costly depot and the Chicago, Milwaukee and St. Paul is about to begin the erection of a modern station.

Butte is an important distributing point for a large part of Montana and Idaho, and has manufactures of many kinds, "from macaroni to mattresses, from candy to coffins, and an infinite variety between."

Butte has many strong financial institutions and business blocks, commercial establishments, clubs, newspapers, public schools, parochial schools, and churches. It is the seat of the State School of Mines, has a fine federal building, and the county of Silver Bow has recently completed, at the cost of \$1,000,000, one of the best county buildings in the United States. Columbia Gardens, situated on the slope of the Continental Divide, is a beautiful resort and pleasure ground. Butte is an agreeable place of residence and has many handsome private dwellings.

Butte is a city of consumers, whose needs make a local market for much of the vegetables, beef, mutton, poultry, eggs, butter, fruit and flour that Montana produces and great quantities of hay and grain are sold there for horse-feed. Butte is unique and offers many attractive points of interest to the tourist.

#### YELLOWSTONE COUNTY.

Yellowstone is the most populous and important county in the great Yellowstone valley. It is named for the Yellowstone river, which crosses it from the western to the eastern boundary. Mountains, among which are the famous "Pompey's Pillar," rise in the north, south and west, and the eastern boundary is formed by the Big Horn river. Both the Yellowstone and the Big Horn have many tributary streams which water the valley. The mountains form a natural barrier against devastating blizzards. During the past five years

the average temperature for December, January and February has been 29 degrees above zero. Spring opens sufficiently early so that plowing and planting are generally finished before the rainy season. April, May and June are the wet months and during that period more than half the annual rainfall of over 15 inches occurs.

The chief industries are stock raising and farming. Yellowstone county has been for many years a noted sheep and cattle county. Great quantities of wool, cattle and sheep are shipped each year. In addition to actual stock raising, cattle and sheep are fattened for the market. Hog raising is profitable and the conditions are excellent for dairying.

As in almost every section of Montana farming is of two kinds,—irrigated and dry land, or scientific. The Huntley reclamation project and the Billings Carey Act project have put thousands of acres under irrigation which produce wonderful crops of sugar beets. The average crops of these irrigated districts are very high, and some remarkable yields are registered. Alfalfa and sugar beets are the great crops in the valley, the yield of the former being from 3 to 5 tons, and of the latter from 12 to 20 tons.

Experiments made in many districts have proved that the soil and climate of Montana are well adapted to growing sugar beets. The saccharine strength is uniformly high, and as many as twenty tons have been raised on one acre. The crop is a profitable one wherever there is a sugar factory convenient; and there are those who say that to feed beets to stock is not less profitable than to sell them. At Billings is the only factory in the state, but it is expected that when the irrigated lands of the Sun River and Milk River valleys are settled upon, sugar beets will become a leading crop and will be purchased by factories to be erected at convenient places.

The Billings beet sugar factory was constructed in 1906 at a cost of \$1,250,000, has a capacity of 1,000 tons a day, employs 450 persons during the operating season and 125 persons for the whole year. The plant is operated

by steam power and annually uses 35,000 tons of coal. The pulp left after the extraction of sugar is a valuable food for fattening stock. Beet tops have also a value as a stock food.

The factory bought the beet crop from 7,000 acres the first year it was in operation, and has been steadily increasing its supply. During the year 1911 the product of about 15,000 acres was handled and about \$800,000 paid for beets. A payment aggregating \$350,000 was made in December, 1912, by the sugar beet company to farmers of the district for beets delivered to the factory during November. This brings the total paid to the growers up to approximately \$1,000,000, and another disbursement was made in January, 1913, making the grand total about \$1,350,000.

The price paid is based on saccharine strength, the grower commonly receiving about \$5 a ton for beets delivered at the receiving station. The average yield is about 15 tons an acre; the gross yield of an acre of sugar beets is generally about \$75, and the net yield about \$40. The business has been profitable both to the growers and to the owners of the factory, and its establishment has caused a decided advance in land values in the districts where the beets are grown, has given a new and large pay-roll to Billings, and has aided in the development of the surrounding country. In this section oats yield from 50 to 90 bushels; wheat from 40 to 60; and corn from 30 to 50 bushels. Barley of the finest malting kind is grown. Potatoes yield from 200 to 400 bushels; and the largest known yield from one acre, 1,213 bushels, was made in this county. Berries are very profitable; apples thrive and many orchards have been set out. Fruit growing is an increasing industry and already the value of orchard products amounts to a large sum annually.

Away from the valleys and the irrigated districts farming is carried on without irrigation and is called upland or dry land farming. The yields obtained at the experiment farm in Yellowstone county show wonderful results. Individual farmers have made as good crops. Concerning the unirrigated farm lands

of Yellowstone county, a pamphlet issued by the Billings Chamber of Commerce says:

"The staple crop is winter wheat, which yields abundantly and is of excellent quality. Spring crops, such as flax, durum wheat, speltz, oats and barley, do well. Alfalfa produces without irrigation as good a crop as clover in the eastern states and is the staple forage plant. Alfalfa seed grown on the uplands of eastern Montana has been pronounced superior to all other alfalfa seed by the Department of Agriculture at Washington. Alfalfa seed is better and grain grown on the uplands under non-irrigated methods, is heavier and more nourishing than what is grown under other conditions. Yields of grain from commercial, or large fields, have frequently shown large returns,—oats, 80 bushels per acre; wheat, 53 bushels; flax, 15 bushels; speltz, 40 bushels; corn, 30 bushels. Wheat from the non-irrigated sections of this county in competition with the world at the International Dry Farming Congress at Cheyenne, Wyoming, took sweepstakes prize. The vegetables grown on non-irrigated land are of excellent flavor, quality and the yields are large. Potatoes are a staple crop. Fruit does well when given the proper care and attention.

"At the present time wonderful opportunities are offered the farmers on the non-irrigated farm lands in the way of stock raising. Nearly everywhere, in the vicinity of the non-irrigated cultivatable lands in Yellowstone county, there is some good grazing land for pasturing the dairy herd, the extra horses, a bunch of beef cattle or a few sheep. The farmer can graze his stock in summer and feed them in winter, the grain and other produce he raises thus increasing the revenue of his ranch several fold."

A Yellowstone county farmer in 1911 harvested 500 acres of unirrigated wheat which yielded an average of 26 bushels to the acre, and 200 acres of barley that averaged 25 bushels.

Yellowstone county dry land products have won many prizes at expositions. At the Dry Land Congress of 1908, a resident of this sec-

tion won the silver cup for the best 25 pounds of wheat. A woman of this county won first prize for the best display made by a woman homesteader, first for sheaf flax, second for alfalfa, and third for barley. The second prize for wheat, flax and field peas and third for durum wheat and beans were captured by Yellowstone county. In the sweepstake the county won three of the five first prizes. At the great New York Land Show in 1911 Yellowstone county won the cup for alfalfa.

The Northern Pacific Railway's main line follows the Yellowstone river across the county and branch lines extend from Billings via Laurel to Red Lodge and Bridger, Carbon county. The Billings and Northern division of the Great Northern runs north to Great Falls. Communication with Omaha, Denver, points on the Crow reservation, and northern Wyoming is afforded by the Chicago, Burlington & Quincy system. From the Musselshell valley the Chicago, Milwaukee & St. Paul is expected to build a branch line to Billings. A branch to Columbus is also a possibility.

The chief towns are Billings and Laurel. Others are Huntley, Ballantine and Hardin in the Huntley project; Park City in the Yellowstone valley, which is surrounded by a highly improved farming region, and Columbus in the same section, which is a prosperous place with large stores, bank, newspaper, and is the trading point for the Stillwater valley to the south and the rapidly developing Lake Basin country on the north; and Broadview and Comanche on the Billings and Northern division of the Great Northern Railroad in a part of the country that has been transformed in the past few years from a stock range to a farming region.

Laurel is a prosperous town. A few years ago the population was about 200, and now it is about 1,500. It is surrounded by a fertile and extensive district of irrigated lands and its trade extends back to the bench lands that are being converted into farms. It is located opposite the mouth of Clark's Fork river, whose valley is one of the most productive in Montana. Laurel is a very important rail-





BILLINGS, MONTANA, TWENTY-FIVE YEARS AGO.

road point and is on the Northern Pacific, the Chicago, Burlington & Quincy, and the Great Northern railroads. New railroad shops and roundhouses have recently been built at Laurel at a cost of \$3,000,000, and the railroad pay-roll is a large one. There are good schools, six churches, two banks, a creamery, two newspapers, water and sewer systems of recent construction, and many business houses.

Billings, the county seat, is the center of an irrigated area of approximately 500,000 acres and of non-irrigated farming country of 1,000,000 acres, ships great quantities of live stock, wool, hides and grain, is the headquarters for 160 traveling salesmen and of numerous branch houses of large firms, has many business houses, and wholesale and retail stores. There are seven banking houses, numerous churches, good public schools, a polytechnic institute representing an investment of \$200,000, costly buildings, two daily papers, and all the conveniences and improvements of an up-to-date city. Billings has many manufacturing establishments, the most important being the beet sugar factory, which pays out annually about \$1,000,000 for beets. Hydroelectric power is abundant and 50,000 horsepower is now available. The population was 3,221 in 1900, and 10,031 in 1910, an increase of 211 per cent. The people of Billings are noted for their public spirit and enterprise.

The population of this county grew from 6,212 in 1900 to 22,944 in 1910, an increase of 270 per cent. The assessed valuation was \$5,178,688 in 1900, and \$17,976,666 in 1911, an increase of 247 per cent. Notwithstanding the loss of property assessed at \$2,250,000, of considerable population, of 691,200 acres of land, reducing the area from 5,789 square miles to 4,709 square miles, by the creation of Musselshell county, the total valuation of property in 1911 was 19 per cent greater than in 1908. The unreserved and unappropriated public lands were 1,611,398 acres in 1908, and 953,492 acres in 1911.

By the creation of Big Horn county in January, 1913, a considerable area of Yellowstone county was cut away, reducing the assessed

valuation about \$2,000,000, and the population approximately 1,000.

#### FERGUS COUNTY.

Fergus county is situated in the central part of Montana. Its northern and eastern boundaries are formed by two great rivers, the Missouri and the Musselshell. In the southeastern section are the Big Snowy mountains, in the southwest lies the Little Belt range, and in the eastern portion of the county are the North and South Moccasin mountains and the Judith mountains. Besides the Missouri and Musselshell rivers and their many tributaries, the county is drained by the Judith river.

In the early history of Montana there was a certain location famed among the Indians as an ideal camping and hunting ground. Surrounded by mountains, they found pure water there in abundance, and a country clothed with verdure, which was a favorite grazing spot for buffalo, elk, deer and other game. This is now known as the Great Judith Basin, deriving its name from the Judith river, which drains it. The entire valley is intersected by mountain streams, which add greatly to its beauty and fertility.

This basin contains about 1,900,000 acres of rolling prairies. It is of paramount interest to the settler in a new country when a location is found where the great physical asset of fertile soil exists, and of still greater importance when the permanence of these conditions are scientifically assured, as is the case in the Judith Basin.

The soil of the Judith Basin is a rich, black loam, containing fragments of limestone, pebbles which disintegrate when exposed to the air and rain, and continually replenish it with the essential elements for plant life. The continuance of these conditions is practically beyond doubt, as there is an underlying subsoil of clay and calcareous rock, which furnishes for all time the potash and phosphoric acid needed, and affords the necessary drainage and avenues of penetration for the roots of plants.

Prof. E. W. Hilgard, the noted agricultural

authority, in his book on "Soils," says that a percentage of nitrogen, of one-tenth of one per cent, is a very satisfactory amount.

"An analysis of the soil of the Judith Basin shows that it contains one and six-tenths per cent nitrogen, in the first foot, or sixteen times the amount considered good by Mr. Hilgard."

This abundance of nitrogen and the large amount of lime content, induce the belief, on the part of the same authority, that wheat can be produced on this soil almost indefinitely.

The average annual rainfall, as indicated by the Lewistown records for the past eleven years, is 22.10 inches, and more than half of this falls in the months of April, May, June and July.

Professor King, in his "Physics of Agriculture," says: "Twelve inches of effective rain during the growing season of wheat, starting with the soil moisture in good condition, should enable a yield of 40 bushels to be produced, and 25 bushels of wheat would require 7.5 inches of rain on the same basis."

The altitude of the Basin is from 3,500 to 4,000 feet above the sea. The extremes of temperature characteristic of other climates are unknown here. Sunshine is almost perpetual from August 1st to January 1st. The "Chinook Winds" modify the severity of the winters, and out-of-door occupations are never materially interfered with by the weather. Plowing begins in the early spring.

The summers are delightful. There are early dawns, prolonged twilights, heavy dews and cool nights.

The high quality of wheat grown here is well known to millers, and the Judith Basin flour gained immediate prestige. Prof. Thomas Shaw, in discussing this feature, says:

"Winter wheat is, beyond all question, destined to become the leading staple in the line of grain in Montana, and especially on the wide areas of the bench lands. When properly grown this crop is pre-eminently adapted to Montana conditions. It is seldom that it is seriously injured by the winters under Montana conditions. The heaving of the plants by

alternate thawing and freezing in the spring-time is practically unknown.

"The crop is matured before the dry weather of summer arrives and it escapes injury from hot waves that in some instances bring injury to the spring crops. The yields of winter wheat are phenomenal. One can hardly believe the statements true regarding them, they are in some instances so great. Twenty bushels per acre are considered a small crop, and yet it is a fact that in the Judith Basin the astounding yield of 66 bushels per acre has been grown over a large area of land. The weight also runs high, a result that always accompanies large yields. It is seldom that the winter wheat crop weighs less than sixty pounds per bushel, which is the standard weight. In many instances the weight is sixty-two pounds and it has reached in some instances sixty-six pounds. The variety chiefly grown is the Turkey Red, a hard wheat and also a hardy variety which grades equally with No. 1 hard spring wheat.

"The spring varieties grown include the fife and blue stem, but the macaroni varieties have special adaptation for Montana conditions. Yields of 25 bushels per acre are quite common and much higher yields are not infrequent."

In Judith Basin there are 200,000 acres in crop; 165,000 of winter wheat land raising Turkey Red wheat under cultivation. With an average yield of 30 bushels per acre, this will bring 6,000,000 bushels of wheat to be harvested.

Agriculture has leaped in a few years from an unimportant to a leading industry, a development that was delayed until railroads were constructed. Whole townships that were unoccupied a few years ago are now producing grain. The transformation from a stock into a farming country has been rapidly accomplished and the increase in the quantity of grain raised in 1911 from that grown in 1905 is probably greater than was ever shown in any other country for a similar period.

It is estimated that the crops of 1911 amounted to 6,000,000 bushels of wheat, 500,-



ooo bushels of oats, 162,000 bushels of flaxseed, and 400,000 bushels of potatoes, and that 10,282 freight cars could be filled with the farm products of Fergus county. "With the production of \$7,000,000 worth of products from ranch, farm and mine," an authority says, "there would be sufficient to give every man, woman and child \$500 each." The possible future production when all the raw land shall be in cultivation is amazing. The grain lands are estimated at 1,225,000 acres that should yield 30,000,000 bushels annually, loads for 45,000 cars. Great as has been the development of farming in the county the movement is still in its early stages and opportunities are abundant.

In 1907 reports from 83 farms in Fergus county showed an average yield of 36.66 bushels of wheat; the average yield of oats on 90 farms was 56.40 bushels; and of barley 43.91 bushels on 17 farms. The average wheat yield of the county for 1911 is put at 30 bushels to the acre. Individual crops as high as 56 bushels are reported.

The production of dairy products, eggs and poultry fails to meet the local demand.

More than 30 grain elevators bear testimony to the quantity of grain that is produced, and there is need for more. More than 250 steam plow and gasoline outfits have been engaged in breaking land.

As to the future development, the most conservative estimates place the amount of wheat land that will ultimately be cultivated within the Basin at 1,000,000 acres, and with an average yield of 30 bushels this would make the Basin capable of producing annually 30,000,000 bushels of the finest wheat grown in America.

The Judith Basin affords many opportunities for diversified farming. Potatoes are a profitable crop. They are of the highest quality and in great demand. The yield runs from 150 to 600 bushels to the acre, according to the character of soil and care given to the crop. Cabbage, rutabagas, turnips, parsnips, onions and other vegetables grow prolifically. There is a big local market for such products,

as is shown by the heavy shipments made to Lewistown and other points from outside states.

Dairying is a profitable industry. During the past year not less than fifty thousand pounds of creamery butter have been shipped into Lewistown from the east, together with hundreds of cases of eggs and quantities of poultry.

The local production of hogs is never equal to the demand and a large amount of pork is imported. All of these products are successfully grown, with the assurance of a local market and good prices in Judith Basin.

Fergus county, as a gold producing section, has the largest output in the state of Montana. From the Kendall district the mines of which are situated in the North Moccasin mountains, the average output is \$30,000 per month. The Judith mountains abound in gold, which is treated by the cyanide process.

The Spotted Horse mines have yielded many millions. The district in and about Maiden is producing approximately \$60,000 per month. A number of fine prospects are being developed, which will doubtless increase the product from this district.

The American sapphire found in this county and known as the Yogo sapphire, is one that is in great demand by all lovers of beautiful stones, and its price upon the market equals any in the world. These sapphires are found in the Belt mountains. The true fissure veins where they are obtained are the only formation of the kind known to contain these precious stones.

Concerning the latest developments of the mining industry of the county the state mine inspector says in his report for 1912:

"Extensive strikes were made in several of the districts during the year. Operations in the New Year and Maiden districts were attended with success. Considerable capital has been invested and several plants have been installed for the reduction of the output of the mines. The Yogo sapphire mines were satisfactorily operated and a vast amount of new territory explored. The quality of the stones

is equal to any on the market. There was much activity during the year in Cone Butte and Ford Creek districts. Considerable capital has been invested and plans are under way for the installation of necessary plants to treat the products of the mines in those localities."

The rise of farming followed the construction of railroads that made it possible to market surplus crops. For many years good crops for local consumption had been grown in the valleys, and about ten years ago practical farmers settled on the bench lands south of Moore and began to raise grain. The extension into the Judith Basin of the Montana Railroad, now a part of the Chicago, Milwaukee & St. Paul System, was followed by a great development of the farm lands near its line; and when the Billings & Northern division of the Great Northern was built through Fergus county the change from a stock to a farming country was rapidly accomplished. The route has been located, the right-of-way purchased and a considerable portion of the grading done on the main line of the Chicago, Milwaukee & St. Paul, which comes into Lewistown from the east, passes through the heart of the city and crosses another fertile section of country in the northwestern part of the county on its way to the Pacific coast. The same company has completed grading operations on a branch line out of Lewistown and northward for a distance of eighteen miles.

The Great Northern Railway Company has just completed a line which runs from Lewistown to Great Falls, Helena and Butte. The advantages of this are obvious. The first through train was run over these tracks in December, 1912.

Lewistown is the county seat of Fergus county and the largest town in the Judith Basin. It has a population of 4,000. Surrounded on three sides by mountain ranges, it is protected from the extremes of atmospheric conditions. A rushing mountain stream runs through the place, contributing not only to its beauty and productivity, but furnishing power for an electric light plant and manu-

factories, and with all, having a surplus of 2,700 horse-power for purposes as yet undeveloped. Never in the history of the Judith Basin has Spring creek been frozen.

Thousands of dollars have been expended in parking, building boulevards, sewers and the perfecting of city water-works. An abundant supply of the purest water is brought to the city by a gravity pipe line from big mountain springs, seven miles distant. Being conveyed directly from the springs to the consumer, there is not the slightest opportunity for any contamination of the water supply.

The business portion of Lewistown is built almost exclusively of brick and stone. There are large department stores.

Lewistown has four banks, with a combined capital of \$550,000 and deposits amounting to \$2,700,000.

The city has four grain elevators, and a flour mill of 250 barrels capacity; it has one of the best cold storage plants in the state, and a brick yard with a daily output of 50,000 bricks. To meet the increasing demands of the wide territory, of which Lewistown is the center, there are five wholesale mercantile houses.

Lewistown has one of the best electric light plants in Montana. It has two telephone systems, two telegraph lines, one daily and two weekly newspapers, large machine shops, two first-class hotels, innumerable rooming and apartment houses, and five theatres.

The schools of Lewistown are excellent. The county high school is one of the finest in the state. There are one parochial and three intermediate schools, preparatory to high school, and the daily attendance is one thousand. Throughout Fergus county there is a school for every community containing ten or more children of school age; there being fifty-five public schools distributed among the fifty-four school districts.

Churches of nearly every denomination are represented.

The city has a new county courthouse that cost \$150,000, a Carnegie library, a modern hospital and a handsome Masonic temple. The

residence portion is well built and has many costly homes, surrounded by beautiful grounds and abundant shade trees. There is everything to make Lewistown a progressive and attractive city.

Straw, Garneill, Hobson, Utica, Windham and Denton are towns in the farming section. Stanford has grown, in four years, from a small village to a thriving town. Kendall is the chief town in the gold mining districts. Hilger, less than two years old, is the terminus of a branch line from Lewistown. Grass Range and Flatwillow are villages in the southeastern section, into which many settlers have recently come.

The unappropriated public lands were 3,466,469 acres in 1908 and 1,939,203 acres in 1911. In three years 1,527,266 acres were appropriated mainly by homesteaders.

The creation of Musselshell county in 1911 took from Fergus \$3,408,216 of taxable wealth, caused a loss in territory of three townships and two sections that were ceded to Meagher county, and townships 6, 7, 8, 9, 10 and 11, ranges 19 to 31 inclusive, that were put in the new county. A considerable population was also lost with the ceded territory. The population in 1900 was 6,937 and 17,385 in 1910, a gain of 10,488, or 150 per cent. The assessed valuations were \$10,865,993 in 1908, and \$14,677,720 in 1911, a gain of \$3,811,827, or 35 per cent, notwithstanding the loss of \$3,408,216 of property.

#### PARK COUNTY.

Park county is fortunate in its location. It lies to the east of the main range in the extreme southern part of Montana, directly north of the Yellowstone National Park, to which it is the entrance. It is midway between St. Paul and Seattle and about midway across the state on the Northern Pacific Railway. It contains a great agricultural and mining territory.

Approximately two-thirds of this county is agricultural land situated along the Shields river, the Yellowstone river and in smaller tributary valleys. The remainder of the county

is mountainous. In this latter section is fine timber, much of which is within the national forests. The highest of the peaks are snow-clad which gather and conserve a never-failing water supply.

The Yellowstone river rises in the Yellowstone National Park, enters the southern boundary of the county and flows in a northerly direction for fifty-five miles through Paradise valley; then taking an almost angular course west of Livingston, it flows eastward through another fertile valley on its way to join the Missouri. The Shields river, rising on the extreme northern boundary, flows fifty miles southward through rich valley and bench land to its union with the Yellowstone at Livingston.

Alluvial deposits form the bottom lands of these valleys. They are flanked on both sides by bench lands which swell into foothills, then mountains. The bench lands are grown over by occasional forests which mark the course of mountain creeks that emerge through little valleys and foothills at right angles to the main stream and carry, from snowy mountain heights, abundant water for irrigation even in the dry months.

The bench lands which comprise the greater area of tillable territory are rich loam underlaid with gravel in the Upper Yellowstone valley, and a sandy loam with a clay subsoil in the Shields River valley. The soil is said to average from two to six feet in depth, is easy to work, pulverizing readily, but having a great capacity for absorbing and holding moisture. Its fertility is proved by ample yields of fruits, vegetables and grains.

The climate of Park county is desirable. It is sheltered by high mountains and Chinook winds modify the winter cold. Except in the mountains the snowfall is not great. The autumns are generally mild and open until after Christmas. During January and February comes the most severe weather. In April, May and June, the growing months, at least one-half of the yearly rainfall occurs. July and August are marked by warm days and cool nights. Here, as in other parts of the



state, the autumns are probably the most delightful season of all. Conditions for harvesting are excellent and frost seldom comes until late in September.

In the matter of irrigation, Park county is exceptionally fortunate. The water supply for irrigation is furnished by the Yellowstone and Shields rivers and their multitudinous offshoots. A recent government report states that there is ample water in the Yellowstone alone to irrigate the whole state, could it be properly directed and distributed.

The bench lands in the Shields River valley and along the Upper Yellowstone are peculiarly adapted to the cultivation of grain. Within the past few years the possibilities of scientific, or dry land, farming have been appreciated by the farmers of this vicinity. The average production of wheat in 1910 by irrigation was from 45 to 60 bushels per acre, by dry farming methods from 25 to 35 bushels. In 1909, when the season was more nearly normal as to moisture, the production on non-irrigated lands averaged 10 to 15 bushels more per acre. In 1911 there were yields of wheat under irrigation, as high as 67 bushels per acre and under the dry land method the record showed considerably more than 50 bushels. The crops of oats in 1910 averaged from 70 to 90 bushels on irrigated fields and from 40 to 60 bushels on the dry farmed bench lands. On these latter lands the yield was much larger in 1909. Under irrigation as much as 115 and 120 bushels to the acre were produced. The quality of the oats raised in this county is exceptionally good. The weight runs approximately 40 pounds per bushel or 8 pounds in excess of the standard bushel.

Although wheat and oats are the principal grain crops of this section, there is some barley as well as other cereals cultivated. Barley crops have averaged from 30 to 75 bushels per acre, rye from 20 to 35, speltz from 30 to 75, flax from 15 to 25 bushels, timothy seed from 5 to 8 bushels. At the state fair in 1910 Park county was awarded first prizes for barley, flax, clover, hard wheat, oats; and second prize for timothy seed.

Alfalfa is one of the important crops of the irrigated lands. In the lower valley the average is from 3 to 5 tons per acre and three cuttings are obtained. In the upper valley and also in the Shields River valley many of the farmers cut only two crops, leaving the third for pasture; the yield then is from two and one-half to four tons per acre. It is estimated that in 1910 over one hundred thousand tons of alfalfa and other kinds of hay were cut in this county.

Potatoes grow well here. In the Lower Yellowstone valley a record crop of 1,215 bushels per acre was made, while in other Park county potato fields 1,000 bushels have been produced and yields of 600 bushels are frequent. With irrigation the yield is from 350 to 800 bushels per acre and without irrigation the average is from 150 to 400.

Although in the infancy of development fruits and vegetables can be grown in Park county.

The stock and sheep industries form an important commercial feature of this section.

As a country rich in mineral deposits, Park county has been celebrated since the early days. One of the first placer mining camps in the state was at Yellowstone City, which was situated near the modern site of Immigrant or Fridley. Although mining has lost the glamour of its early history, it is still carried on there by individual miners and a large corporation has secured control of many different claims with the expectation of doing placer mining on a large scale. At various times new mining districts have been developed. Among them is the New World district in the southeastern section of the county,—Crevasses, Sheep Eater, Independence, Natural Bridge, Jardine, Boerum, and the coal fields at Electric, on Trail creek in the Shields river valley and other portions of the county. The mineral industries of this region are only slightly developed. There are, besides, marble and granite, lime, cement, tungsten, cheelite and platinum.

The New World mining district, which includes the country around Cooke City, con-



FIRST LOG HOUSE BUILT IN LIVINGSTON.

tains some enormous ore deposits. The development of this section has been retarded by lack of transportation facilities. Gold, silver, lead, copper, iron, zinc and fire clay deposits are found in this district, which covers about two hundred square miles. Numbers of mines located in and about Cooke City will be profitably operated with the coming of the railroads. The camp already has two smelters and several concentrators.

Transportation is furnished by the Northern Pacific Railway, the main line of which from St. Paul to the Pacific coast, traverses the county. There are, besides, two branch lines, one draining the Shields River valley, the other the Upper Yellowstone valley, leading to the Yellowstone National Park entrance at Gardener.

In the mountainous regions of Park county there is an abundance of game and the many lakes and streams abound in trout.

Three well-known health resorts, with waters of great curative properties, are situated in this section; they are Hunter's Hot Springs, Chico Hot Springs and Corwin Springs.

Livingston is the county seat of Park county. It lies in the geographical center of the county and is the meeting place of the two great valleys that form the agricultural land of the region. It is the junction of the main line of the Northern Pacific and its two branches north and south and is the gateway to the Yellowstone National Park. The city was founded in 1882 and was named after Crawford Livingston, of St. Paul, one of the original directors of the Northern Pacific road. It is the headquarters of two divisions of the road, possesses the largest shops and roundhouse on the Northern Pacific west of Brainerd, Minnesota, and has a monthly pay-roll exceeding \$100,000. The growth of Livingston has been steady and substantial. For this reason it has excellent business blocks and attractive homes.

Clyde Park, the second town in size in Park county, is the commercial center of the Shields River valley.

Gardener is situated at the entrance to the

Yellowstone National Park. It is a beautiful little place with a fine depot through which thousands of tourists pass during the season. It is the terminus of the branch road and the outlet for a large mining district beyond.

Cooke City is the center of the New World mining district. It is surrounded by approximately 7,000 mining claims.

There are besides these towns many other flourishing communities in Park county.

#### CASCADE COUNTY.

Cascade county is situated in the northern central part of the state. The southern part includes a portion of the Little and Big Belt ranges and the Highwood mountains extend across the eastern border. The eastern section is dotted with numerous buttes. The Missouri river crosses the county from southwest to northeast and is joined near Great Falls by the Sun river that rises in Teton county and drains a large district east of the Rocky Mountains, and by Smith and Belt rivers from the south. These streams have many tributaries and extensive valleys.

Cascade county is in the Chinook belt, and these warm winds from the Pacific ocean moderate the winter temperature. The occasional cold spells are rarely of long duration and are attended by the dry, calm atmosphere that makes the cold in Montana felt less at zero than at twenty above in humid countries. Stock runs on pasture during the whole year, and are fed only a short time during the winter. The precipitation at Great Falls in 1909 was 23.17 inches, 21.89 in 1908, 22.27 in 1906, and is greater near the mountains.

Farming, mining, stock raising are the chief industries. Rough and high grounds afford excellent pasturage for live stock. The soil is fertile and the land as a rule is situated well for farming. In the Missouri, Sun, and Belt River valleys are large irrigated areas. Near Cascade is Chestnut valley, long settled and thriving as a farming district. One township in the neighborhood has produced one hundred thousand bushels of grain and much



hay. The Sun River valley contains a government reclamation project and many farms that were irrigated from natural streams before the artificial system was begun. The Belt valley is also a large and productive section.

Far from railroads are some tracts open to homesteading. Most of the farm products are raised on non-irrigated land. Large crops are grown without irrigation by the dry land system of farming. In the northern and eastern sections dry land farming is very successful and the yields at the experiment station near Great Falls, prove that large crops are raised by this method.

The prize cup for the best wheat grown in the United States was awarded at the New York Land Show of 1911 to a Cascade county farmer, for wheat grown on unirrigated land near Geyser. First prizes for the best wheat and for the best navy beans were won by a farmer of Armington at the Omaha Exposition of 1909; and for grains and grasses farmers of this county won 69 prizes at the Louisiana Purchase Exposition.

Common yields are from 20 to 60 bushels of wheat, 40 to 100 bushels of oats, 20 to 60 bushels of barley and other crops in similar proportion on unirrigated farms. More uniform and usually greater are the yields on irrigated lands. Hay or timothy and alfalfa are large crops and sugar beets have been grown as an experiment. Vegetables make surprising yields. Apples and other fruits do well. A rancher of Portage raised 70 bushels of wheat to the acre in 1911 and another of Wayne, 64 bushels. On a homestead, 16 bushels of flax to the acre, on 32 acres was produced. Many farmers have found dairying profitable and over \$40,000 have been invested in creameries at Great Falls, Cascade and Belt.

The county has great mineral wealth. In the Belt mountains are quantities of iron ore; limestone abounds, and Neihart and Barker are centers of rich silver, gold, and copper districts. At Armington is mined the gypsum that is manufactured at Great Falls. Excellent building stone has been taken from several

quarries. Coal, however, is the chief mineral. The beds are very extensive, and mines at Stockett, Belt and Sand Coulee give employment to 1,090 men. The production of the Cottonwood Coal Company at Stockett often exceeds two thousand tons a day. The Cascade coal mines turned out 996,571 tons in 1909 and 929,595 tons in 1910.

This rich territory is traversed by the Montana Central division of the Great Northern railroad which extends from Butte to Havre, by the Billings and Northern division over which Chicago, Burlington and Quincy trains run, by the Shelby division that connects with the main line at Shelby and extends to the boundary where it joins the Canadian line, and by the Stockett branch that runs by way of Belt to Neihart. This company is building a line from Vaughn up the Sun river to Augusta. Surveys have been made by the Chicago, Milwaukee & St. Paul Road north from Lewistown in the direction of Great Falls, and it is hoped that a road will be built down Smith River valley from White Sulphur Springs to Great Falls. The Great Northern Railway has just completed a line from Lewistown to Great Falls.

The principal cities are Great Falls, Belt, Stockett and Cascade. Cascade is a trading point for a rich farming and stock growing district, has city water, good schools, churches, a flour mill, two elevators, a creamery, a bank, business houses, and a weekly paper. Stockett has great coal mines and is surrounded by a good farming country. Belt is in a fertile valley, has a population of nearly 1,500, has electric lights and water works, schools, elevators, hospital, churches, a bank, business houses, a weekly paper, and coal mines that have employed four hundred men.

This county takes its name from the wonderful asset with which it is endowed. In seven and one-half miles the great Missouri river, with a mean low water flow of 3,500 second feet, drops 535 feet over a series of falls and rapids. At the head of these falls, at a place where the Missouri, Sun and Belt River valleys come together, where there is

a down hill haul from all directions, where all railroad lines meet, the logical location for a great city, is Great Falls. The site was chosen for its natural advantages, the city was planned on generous lines, and it is the natural trading point for a great, fertile, and rapidly developing section. Herewith is a comparative table of water powers that have made other cities rich and populous:

H. P.	
35,000	Minneapolis, Minnesota. (Head, 70 feet.)
16,000	Spokane, Washington.
12,000	Holyoke, Massachusetts. (Head, 56 feet.)
12,000	Manchester, New Hampshire. (Head, 52 feet.)
11,900	Lewistown, Maine. (Head, 50 feet.)
11,845	Lowell, Massachusetts.
11,000	Lawrence, Massachusetts.
9,450	Cohoes, New York.
2,150	Patterson, New Jersey.
<hr/>	
121,345	Aggregate of above powers.
348,000	Great Falls, Montana.
13,948	Population of Great Falls, Montana.
902,345	Population of other above cities.

The Boston and Montana smelter employs a great number of men whose earnings contribute materially to the business of the town. It has the largest smokestack in the world. The Royal Milling Company has a large flouring mill; there are twenty other manufacturing plants, and a mill to use flax fibre is projected.

Great Falls has all the improvements and conveniences of a progressive, growing, western city, and a system of large and beautiful parks. It has a \$400,000 hotel, fine public, business, and residence buildings; street cars, electric lights, paved streets, parked avenues, a people confident of its future greatness, and two daily newspapers. It is a pleasant place of residence and a prosperous commercial city. The United States land office for this

district and the office of the collector of customs for Montana are located here.

Cascade county has an area of 3,347 square miles; the population was 25,777 in 1900 and 28,832 in 1910; the assessed valuation of all property was \$18,144,963 in 1908 and \$24,171,895 in 1911; an increase in three years of 33 per cent.

#### FLATHEAD COUNTY.

Flathead is one of the most wonderful counties of all that compose the state of Montana, from the viewpoint of the nature lover. Among its exalted peaks is scenery unsurpassed anywhere in the world. The northern boundary of Flathead county adjoins the Canadian line; the main range of the Rocky mountains defines its eastern boundary; Powell and Missoula counties lie to the south and on the west it is bounded by the counties of Sanders and Lincoln. In the northern and eastern sections the mighty barrier of the Continental Divide rises to lofty altitudes. Nearly parallel and to the north run the Whitefish and the Flathead ranges. The Swan, the Kootenai and the Mission mountains all contribute their rugged beauty to the county. It is drained by the Flathead river with its north and south forks, Swan river and innumerable mountain streams. Within this area is Flathead lake, one of the largest lakes, outside the Great Lakes, in the United States. In the northern portion of the county is situated much of Glacier National Park which is discussed at length in another chapter.

Although generally mountainous and rugged Flathead county contains fertile valleys and rich bottom lands. These valleys are sheltered and water-fed by the lofty ranges surrounding them.

The climate of Flathead county is comparatively temperate in its lower altitudes. The summer and fall months are full of sunshine. The thermometer seldom reaches 95 Fahrenheit. The nights are always cool. There is little wind, the local weather bureau showing as low wind velocity as any place in

the United States. The rains are gentle. Washing storms are unknown. There is very little lightning and thunder. The air is fresh, pure, invigorating and full of ozone from the pine-laden mountains.

The location on the Pacific slope gives the country the benefit of the warm Japan current. The severe cold snaps and storms of the plains country are broken by the mountain barriers.

The winters are comparatively mild. The thermometer rarely reaches 12 degrees below zero. The snows come early and usually remain on the ground, during the entire winter. The first snow is about December 1st and lasts until March. This is the season that the heavy hauling is done and most of the logging operations are carried on while snow is on the ground. The roads are rarely muddy and even in spring when the thaw comes, they dry quickly, owing to the sand in the soil.

According to government reports, the first killing frost comes on an average about October 10th and the last on May 5th.

The Flathead valley is almost in the center of Flathead county, Montana, which lies along the western slope of the Rocky mountains and extends north to the international boundary line.

The valley is about thirty miles long and fifteen miles wide, contains about two hundred thousand acres of rich land and is surrounded by mountains covered with a deep green mantle of fir, larch and pine trees. At the south end of the valley is Flathead lake, an inland sea with an area of three hundred and sixty square miles. The east and west sides of this lake are devoted largely to fruit orchards, which are planted on a series of benches rising back from the shores. In the background on either side are the immense, towering peaks of the mountain ranges. The south half of the lake is in the Flathead Indian reservation, recently opened to white settlers.

Wheat and oats are two of the staple grain productions, both attaining perfection. The

oats production approximates one million bushels per annum, and wheat about six hundred thousand bushels. The varieties of oats grown are Swedish Select, Banner and White Russian. They average about 75 bushels per acre, and some fields have been known to average as high as 125 bushels per acre, and this not irrigated. The average weight per bushel is about 40 pounds and some has weighed as high as 45 and 48 pounds per bushel. Winter and spring wheat are both grown successfully. Jones Fife, sometimes called Velvet Chaff, is a soft winter wheat averaging from forty to fifty bushels per acre. The Turkey Red is a hard winter wheat and attains perfection in this locality. It is very hardy and averages about thirty bushels per acre. Scotch Fife is the best spring wheat, attains high perfection and yields about 35 bushels per acre. The wheat averages about 62 to 64 pounds per bushel.

At all the county and state fairs, as well as the big land shows, where it has exhibited, Flathead county has usually taken first prize for small grains, grasses, fruits and vegetables. At the Billings Dry Farming Congress where seven northwestern states and British Columbia, Alberta, and Saskatchewan were in competition, this region took first prize on hard wheat. At the World's land show at Omaha, Nebraska, in 1909, wheat raised within three miles of Kalispell took first prize. Wherever it has exhibited staple agricultural products these met with flattering recognition.

Through the Kalispell chamber of commerce an active campaign is being inaugurated in favor of encouraging farmers in the selection of high grade farm seeds, which will lead to a specialization in the growing of pedigreed seeds for garden and field. The wonderful richness of the soil and the favorable climatic conditions encourage such an undertaking.

The following report of grain and other produce harvested and threshed on the Flathead Indian reservation, is submitted by threshermen and farmers:



	Missoula Co.	Flathead Co.	Sanders Co.	Total
Wheat, bu...	38,450	214,161	5,093	557,704
Oats .....	219,178	79,615	9,781	308,574
Barley ....	22,437	14,821	93	36,351
Flax .....	1,334	1,176	30	2,550
Rye .....	200	.....	.....	200
Buckwheat .....		50	.....	50
Peas .....		113	.....	113
Timothy .. .....		35	10	45
Speltz .....	160	.....	.....	160
Potatoes ...	500	.....	.....	500
Hay, tons..	30,000	not reported	not reported	30,000

GRAIN THRESHED IN FLATHEAD COUNTY, 1911.  
*(Tributary to Kalispell on the upper Flathead  
and not on Flathead reservation.)*

Wheat	Oats	Barley	Timothy	Rye	Peas	Flax	Buckwheat
9,885	4,965	482	30	36	100	2,000	150
18,106	31,734	1,454	..	1,500	10	.....	..
6,000	15,000	5,000	..	254	200	.....	..
27,225	21,290	1,929	..	.....	..	.....	..
11,778	24,279	1,598	..	.....	..	.....	..
17,970	34,299	1,068	..	.....	..	.....	..
35,597	14,945	2,168	..	.....	..	.....	..
36,842	16,081	1,635	..	.....	..	.....	..
35,633	13,280	999	..	.....	..	.....	..
38,790	24,200	2,500	..	.....	..	.....	..
27,141	40,737	400	..	.....	..	.....	..
35,000	25,390	2,000	..	.....	..	.....	..
9,996	8,156	1,504	..	.....	..	.....	..
28,320	24,600	4,987	..	.....	..	.....	..
55,000	33,000	1,740	..	.....	..	.....	..
35,306	25,215	12,750	..	.....	..	.....	..
15,368	36,692	2,886	..	.....	..	.....	..
4,738	17,524	.....	..	.....	..	.....	..
26,912	55,873	.....	..	.....	..	.....	..
12,376	8,448	.....	..	.....	..	.....	..
2,700	.....	.....	..	.....	..	.....	..
489,683	475,708	45,109	30	1,790	310	2,000	150

Statistics gathered by the State Board of Horticulture show three hundred and fifty thousand fruit trees growing in the Flathead county.

The manufacturers of apple boxes sold and distributed seventy thousand boxes which, filled with apples and loaded in cars, would give one hundred cars as the apple production for Flathead county in 1911. These estimates shows that only a small percentage of

the trees are of bearing age, as the extensive planting of commercial orchards is of recent date.

All of the hardier varieties of fruits may be grown, but soil and local conditions are especially well adapted to the production of certain varieties of apples, such as the Transparent, Duchess, Gravenstein, Wealthy, King, Wagner, Rome Beauty and McIntosh Red, the latter developing to an unusual degree of perfection. In quality, color and flavor it is the best of all apples grown and brings the highest market price. In 1910 Flathead McIntoshes were awarded two first premiums at the Spokane Apple Show, and the silver cup offered by the Montana Horticultural Society for the best collection of apples has been awarded four years in succession to Flathead county.

Although this industry is yet in its infancy, and, to a certain extent, still in the experimental stage, the wonderful results obtained indicate that this will be among the famous fruit-growing sections of the northwest.

Peaches and pears are not yet grown in commercial quantities, but they are of excellent size and quality. The growing of plums has proved very profitable, the trees bearing annual crops of large size and fine quality. Sour pie cherries are extensively grown, and during their history of production have never failed to yield a crop. The yield, size and quality of sweet cherries such as the Bing, Lambert and Royal Ann, is remarkable. Cherries over an inch in diameter are not uncommon. The season of ripening is retarded on account of cool nights and lack of extreme warm weather. They come on the market when sweet cherries from all other sweet cherry growing districts are gone, consequently competition being eliminated, and demand practically unlimited, they command a ready sale at a high price on the eastern markets.

The frequent rains during the growing season make irrigation unnecessary.

Flathead county takes first rank as a vegeta-

ble producing region in the northwest. At the national land shows throughout the country Flathead valley has always carried off a large percentage of the premiums offered. At the Billings Dry Farming Congress, where seven northwestern states and southern Canada were represented, Flathead county was awarded over one-half of the premiums on vegetables, taking first prize for potatoes. At the 1909 World's Exposition at Omaha the county took first prize for wheat and first prize for shelled peas and sheaf peas.

A potato Producers' Association has been organized to cultivate high class seed and commercial potatoes, as well as the best garden and field peas. Some of the large seed houses of the East are becoming interested in the valley and the production of first-class seed specialties.

Potatoes approximating two hundred cars were shipped out of the valley the winter of 1911, and sufficient to supply a shipment of one thousand cars has been planted this season.

The lumber industry is the greatest revenue producer of this territory. It is estimated that there are from thirty billion to forty billion feet of standing timber in Flathead and Lincoln counties at the present time. A little less than half of this timber is in the forest reserve, which insures a large annual cut for a long time, as the government will allow only the mature timber to be manufactured. There are some thirty saw-mills operating in this territory. These mills are organized into a central body known as the Montana Larch and Pine Manufacturers' Association, with headquarters at Kalispell. The largest of these mills is at Somers on Flathead lake, where there is also a tie preserving plant. Almost all of the mills are tributary to Kalispell, but three of them are in Lincoln county.

The Chamber of Commerce published the following statements showing the total production in feet, board measure, for the years 1905, 1906, 1907, 1908 and 1909, and also statements for 1908, giving the total cut board

measure, for these years, and the total number of carloads:

*Lumber Business of Flathead County for 1911:*

Shipments		Feet
1905	.....	101,189,825
1906	.....	89,494,525
1907	.....	85,454,584
1908	.....	83,299,396
1909	.....	119,454,093
1910	.....	118,018,769
1911	.....	76,357,458
Cut		
1906	.....	87,040,000
1907	.....	112,514,000
1908	.....	89,209,000
1909	.....	103,596,000
1910	.....	130,000,000
1911	.....	87,527,742
Investment in plants and equipments..		\$1,250,000.00
Number of men employed .....		2,500
Annual pay roll .....		\$1,200,000.00
Daily Capacity, 1,500,000 (Sawing season		
averages about 115 days) .....		175,500,000
Timber in Flathead and Lincoln coun-		
ties .....		30,000,000,000 ft.

The county is rich in water power. Near Polson the great power supplied by the Flathead river is to be used for pumping into irrigation reservoirs as well as to furnish power for ordinary uses.

The Great Northern is the only railroad, the main line crossing the county. From Columbia Falls a branch line extends to Kalispell, fifteen miles distant. From Kalispell one branch extends 11 miles to Somers, the principal port on the north shore, and another in a western direction to Marion, 38 miles. A branch line across the Flathead reservation to connect Kalispell with the Northern Pacific at or near Dixon was surveyed several years ago. The Chicago, Milwaukee & St. Paul Railroad has surveyed a line down Swan river into the Flathead valley, reaching Kalispell and extending north to the Canadian boundary. In the fall of 1911 work was begun on the construction of the Flathead Interurban Electric Railway that begins at Kalispell, extends northwesterly toward Whitefish, and passes through the rich farming districts of Stillwater and Spring Creek.



BIRD'S-EYE VIEW OF KALISPELL.



The plan is to extend this line southward to Flathead lake and Big Fork.

Kalispell, Whitefish, Polson, Columbia Falls, are the chief towns. Polson, the principal port on the south shore of Flathead lake, is a shipping point for a large and productive part of the Flathead reservation that was opened in 1910. It is only four years old, but is a thriving, incorporated city, with a population of about 1,500, with many modern improvements, good schools, churches, banks, business houses, electric lights, telephones, a weekly paper and steamboat service to points on the lake. Big Fork, in a fine fruit district, is the trading point for the Swan river country. On Whitefish lake, a beautiful body of water seven miles long at the head of Flathead valley, is Whitefish that has grown in a few years to be a progressive town of two thousand people, having city water, electric lights, telephones, sewers, brick business blocks, banks, a weekly paper, and a good fruit country adjoining. It is a railroad town, is a division point on the Great Northern and has a monthly pay-roll of from \$100,000 to \$150,000. Columbia Falls, at the head of the fertile east side of the Flathead valley, has a bank, stores, a newspaper, lumber mills, the State Soldiers' Home, and is an important trading point for a rich agricultural district. Dayton is a new and thriving town on the west shore. Belton is the western entrance to the Glacier National Park. It has picturesque chatlets and is a favorite resort in the summer.

Kalispell, the county seat and the business center of northwestern Montana, has one hundred and fifty thousand acres of rich agricultural land tributary to it, and ships large quantities of apples, cherries and small fruits. It has a population of eight thousand. The United States land office is located there, also the county high school and a business college. The city has a water system, a sewer system, electric lights and power, telephones, paid fire department, over ten miles of cement sidewalks and boulevarded and macadamized streets, five elevators, a cold storage plant, large lumber mills and a flour mill. Kalispell

is a very attractive place of residence, and is generally considered to be one of the most beautiful cities in the state. It has four newspapers, good schools, many churches, fine residences and business blocks. A census of fruit trees shows one for each inhabitant. A citizen picked 2,155 roses from his garden during the summer.

The assessed valuation for the city of Kalispell on the basis of one-third actual value for the year of 1911, was \$2,137,575. The post office receipts for the fiscal year ending June 30, 1911, were \$29,555.

July 1, 1911, the unreserved and unappropriated public land was 134,212 acres, mostly mountainous. There are few opportunities to secure land under the homestead law. Many acres of logged overlands may be bought at prices that will yield large profit to those who will clear and make farms or orchards of them.

The population of Flathead county was 9,375 in 1900 and 18,785 in 1910. Though Lincoln county was taken from it in 1909 the increase in a decade was 9,310 or 102 per cent. The assessed valuations of property in 1909 was \$9,146,852, and \$10,539,277 in 1911, an increase of \$1,392,425, or more than 15 per cent in two years.

#### VALLEY COUNTY.

Valley county is situated in the northeastern corner of the state. It is in itself an immense domain and covers an area of 13,368 square miles. Within the county limits is the Fort Peck Indian reservation. The character of this county is rolling prairie lands rising into high altitudes towards the north, where the boundary line adjoins the Canadian border. The county is drained by the Missouri river, which forms its southern boundary, Big, Muddy, Poplar and Milk rivers. The latter stream has a large and fertile valley, a great portion of which will be watered by the Milk river irrigation project.

The climate is good, with a sufficient rainfall to insure successful dry land farming.

Until a few years ago stock raising was the

main industry. It still holds an important place, but it is giving way to agriculture.

The soil in this section is fertile. The irrigated lands along the rivers and streams produce large crops of hay, wheat, grain and vegetables.

Since the practical demonstration of the success of dry land farming the bench lands and prairies have been taken up by thousands of homeseekers who have transformed large land tracts into productive farming regions. The excellent results obtained by pioneer dry land farmers have had the effect of bringing a large immigration.

The population of the county in 1900 was 4,355, and 13,630 in 1910, an increase of 9,275, or 213 per cent. The assessed valuations in 1908 were \$6,771,837, and \$9,849,933 in 1911, an increase in three years of 45 per cent. In 1905 there were only 13 public school teachers in the county; in 1910 there were 74, and 97 in 1911. The number of public school pupils increased from 2,484 in 1910 to 3,708 in 1911. The vacant and unappropriated public lands in 1908 were 5,419,277 acres, and 5,113,022 in 1911, described as "agricultural and grazing."

On unirrigated lands in the vicinity of Malta 40 to 70 bushels of oats, 30 to 50 bushels of wheat, 30 to 50 bushels of rye and 15 bushels of flaxseed are reported to have been raised. A letter from the county assessor written in August, 1911, states that of the patented land 14,500 acres of grain land and 21,648 acres of hay land were in cultivation and that 800,000 acres of government land were in cultivation. The principal crop is flax. On irrigated land farmers have obtained yields of 18 2-3 bushels of flax, 42½ bushels of wheat, 60 bushels of oats and 40 bushels of corn to the acre. Sugar beets and common beets attain enormous size. Near Galpin good peanuts have been raised. Near Wiota excellent potatoes, cucumbers, corn, and perfectly matured plums measuring five inches in circumference are grown. A farmer of Scobey reports a crop of 4,000 bushels of flax from 350 acres. Good yields of oats, hay, barley and other crops are produced in all sections. The new settlers are

doing well, adding to the improvements on their farms, and increasing every year the acreage in cultivation.

Contracts for the earthwork on the Vandalia south canal, in the Glasgow division of the Milk river project, have been awarded. The work covered by the contracts involves the expenditure of approximately \$200,000. This is the last of the big contracts that will be let in the near future on the Malta and Glasgow divisions of the Milk river project.

The Vandalia south canal will divert water from the Milk river on the south side midway between Hinsdale and Vandalia, and will carry it a distance of 45 miles, past Vandalia, Tampico, Paisley and Glasgow to Nashua. It will cover upwards of 25,000 acres of first-class irrigable land.

Coal is abundant in the county and farmers get their supplies of fuel from neighboring coal banks.

The main line of the Great Northern Railroad enters the state at Mondak and follows first the Missouri and then the Milk River valleys to the western boundary. A branch line extends from Bainville to Plentywood, a distance of 53 miles. The country along this line has been settled within the past few years, and Froid, Medicine Lake, Plentywood and other trading places with business houses, banks, elevators and newspapers, have sprung up. Mondak and Bainville in the Missouri River valley have business houses, banks, elevators and newspapers. Culbertson, a well built town of about 600 population, is the trading point for a well developed agricultural section, and has elevators, banks, stores and newspapers. Malta, the chief town in the western part of the county, is making many civic improvements, has banks, a newspaper, business houses, churches, a good hotel and ships quantities of blue joint hay and many cars of cattle, wool and sheep. Glasgow, the county seat and principal town, has a population of 1,158, is the seat of the United States Land Office, has electric lights, water works, excellent schools, a public library, two newspapers, good hotels and many business houses.

It is a division point on the Great Northern and a large railroad pay-roll contributes to its prosperity. Glasgow is a busy and growing town.

#### TETON COUNTY.

Teton is a very large county lying directly south of the Canadian border. Owing to its great size it has a variety of altitude, soil and climate. Teton ridge rises in the southeastern portion and the main range of the Rocky mountains protects its western boundary. By far the greater portion of the county is composed of prairie land. The Blackfeet Indian reservation occupies the northwest corner.

Teton county has farm lands estimated to amount to three million acres, only a small portion of which is under cultivation. The rivers that drain the lands are Milk, Cutbank, Two Medicine, Teton, Marias and many creeks. There are numerous private irrigation ditches. Although many parts of the county are well watered with creeks and springs, on the greater area the farmer must depend upon wells. Water is found at depths varying from 8 to 100 feet.

The government is now at work on several reclamation projects which will put hundreds of thousands of acres under irrigation. On the Blackfeet reservation work is progressing on a large reclamation project and in the southern part of the county the Sun river project is under way. In the southern part also is the Teton project for the reclamation of about seventy thousand acres near Brady. The largest private irrigation project in the state is the Valier Carey Act project which contemplates the reclamation of one hundred and seventy thousand acres. Much of the work has been completed and many acres of land sold, occupied and cultivated.

The land thus irrigated produces excellent crops. The chief products are hay, oats, wheat, flax, barley, rye and potatoes. Numerous crops averaging from two to six tons of hay, thirty to seventy bushels of oats, twenty to fifty bushels of wheat and six to twelve bushels of flax are reported. Wheat near Conrad has

averaged forty-nine bushels to the acre and barley fifty-five bushels. There are accounts of extraordinary yields in 1911. In the Sweet Grass hills sixty bushels of barley to the acre in a large field was threshed, some acres yielding one hundred bushels. A field of eighty acres produced 18½ bushels of flax per acre and 20½ bushels of flax per acre from eleven acres. Another yield of ninety bushels of oats to the acre has been threshed near Valier.

Flax has made large yields in several districts, and an expert of the American Linseed Oil Company said of the Conrad neighborhood that it was "the best flax country in the world." Cabbages exceeding twenty pounds in weight were grown in widely separated parts of the county. Turnips and potatoes attain an enormous size. Sugar beets have been grown successfully without irrigation near Conrad; and the yields are greater on irrigated lands, of which there is a large acreage near Conrad and Valier.

Livestock remains the leading industry, but with the reclamation of arid lands, as outlined above, and the influx of homesteaders, agricultural resources are developing rapidly.

Dry land farming is also claiming the attention of settlers. The Burton bench is a large agricultural district where wheat crops average forty bushels and oats eighty-five bushels an acre. There is no record of heavier oats than those grown on this bench; a single bushel has weighed fifty-five pounds and the lightest of eighty-three samples sent to the World's Fair weighed more than the heaviest from any other state. Yields on dry land farms are from eighteen to thirty-five bushels of spring wheat; twenty-five to forty bushels of fall wheat; forty to sixty-five bushels of oats; and forty to fifty bushels of barley. Potatoes and vegetables have done well. Where the proper systems of cultivation have been followed, paying crops have been raised; and the success of these pioneer dry farm land farmers will lead to the establishment of many thousand farm homes on the broad prairies. The average rainfall is about sixteen inches annually. Great quantities of vacant and un-



appropriated public land are subject to homestead entry. In 1908 the lands of this kind were 1,737,058 acres, and in 1911, 825,573 acres. Since the amount of vacant lands was announced from the General Land Office, about three hundred and forty thousand acres that had been withdrawn for reclamation purposes have been restored to entry. These lands are in the Marias river drainage basin near Cut Bank and include much first-class farm land.

In the mountain ranges are traces of minerals, but little development work has been done. Coal is mined in a small way at several places and there are indications of petroleum.

The main line of the Great Northern Railway crosses the county from east to west. The Montana Western from Great Falls enters the southeastern corner of Teton county and runs to Valier. A branch line of the Great Northern extends from Virden to Sweet Grass, thence into Canada. The Northwestern Trust Company acquired by the Hill interests has just secured the entire \$100,000 issue of Teton county, road and bridge bonds. This is one of the first pieces of big business the trust company has consummated.

The chief towns are Choteau, Conrad, Valier, Shelby, Cut Bank and Sweet Grass and Midvale. Sweet Grass is at the Canadian line and is a trading point for the Sweet Grass hills. Cut Bank is a railroad and commercial point adjoining the Blackfeet reservation and a convenient place from which to reach the large tracts that have recently been restored to entry. Shelby is a railroad junction near which many new settlers have located. All are growing towns in rapidly developing neighborhoods. Valier is the terminus of the Montana Western Railway, which connects at Conrad with the Great Northern Railroad, and is the center of the Conrad-Valier project. It is located on Lake Frances, a large and beautiful artificial lake, and has grown in three years to be a busy and well built town. It has an electric light and power plant, a water-works system, cement sidewalks, two telephone systems, elevators, a stone school building, a

brick depot, two churches, stores, a bank, a newspaper, numerous fine residences and a hotel building that cost \$50,000.

Conrad, the chief town, had a population of 888 in 1910, which has since much increased. Tributary to it are two hundred thousand acres of irrigated and six hundred thousand acres of unirrigated land. It is an incorporated city, has good schools, a library, water works, sewers, two telephone exchanges, banks, business houses, elevators, a newspaper, and is a growing place. In October, 1911, Conrad headed the list of shipping points on the Great Northern in Montana, sending out 250 carloads of freight.

Choteau, the county seat, is not yet reached by railroad. It is a prosperous town surrounded by a very productive country.

Midvale or Glacier Park, as the station is now called on the railroad map, is the eastern entrance of the Glacier National Park. No town in Montana has a more ideal location. To the west of it looms the mighty main range soaring into such peaks as the Rising Wolf, Mt. Rockwell and Squaw Mountain; to the northeast and south is rolling prairie country. The last year Midvale has grown from a quiet mountain hamlet to a thriving busy town. The Great Northern has just completed a magnificent hotel there. Midvale is destined to become a popular resort and during the summer season will entertain thousands of tourists.

The population of Teton county in 1900 was 5,080, and 9,546 in 1910, an increase of eighty-eight per cent. The assessed valuations were \$6,380,889 in 1908, and \$9,800,136 in 1911, an increase of fifty-four per cent in three years.

#### RAVALLI COUNTY.

Ravalli county was happily named for the beloved missionary, Father Ravalli. It is located on the western border and lies between two lofty mountain ranges, the main range of the Rockies to the east and southeast and the Bitter Root mountains to the west. This county is drained by the Bitter Root river

and a multitude of tributary creeks which rise in the mountains, and flowing in right angles to the river, empty their waters into its greater stream. Situated on either side of the river, flanked on both extremes by the sheltering mountains, is the famous Bitter Root valley. It extends south from Missoula for seventy-five miles, varying in width from a few hundred yards to ten miles. The scenery in this vicinity is of marked and unusual beauty, the tremendous snow-capped peaks, rugged in outline, contrasting with the rolling stream-veined valley with its fruitful orchards.

The climate is exceptionally mild for the Rocky mountain region. The temperature rarely reaches zero in the dead of winter. The summers and autumns are temperate and delightful. The average temperature is 46 degrees. The precipitation is generally from fifteen to eighteen inches.

The Bitter Root valley was the home of the Selish or Flathead Indians. Its pleasant climate and rich soil early attracted the pioneers. The first settlers were farmers who harvested wonderful crops of hay, wheat, and oats. The result was that the land was taken up by white people and the Indians moved to the Jocko and Mission valleys.

Marcus Daly, the copper magnate, bought a large tract in this vicinity, which he improved until it was conceded to be the most highly cultivated ranch in the state.

Some venturesome farmers planted fruit trees which flourished and produced so well that it became evident that the Bitter Root valley was peculiarly adapted to fruit growing. Orchards are successful on land not suitable for farming and the profits from apples are so great that no one can afford to raise grain on orchard lands. Large capital has been enlisted in developing irrigation and orchard enterprises and much publicity has been given to this fruitful section. The Bitter Root Valley Irrigation Company has constructed one of the largest private canals in the world.

Hundreds of thousands of trees have been planted in the last four years. In 1910 it was estimated that there were thirty-three thousand

acres in fruit trees in Ravalli county, eleven thousand acres in producing fruit trees and three million five hundred thousand trees set out. About five hundred cars of apples were shipped in 1911.

Apples are the chief commercial fruit crop and the variety most extensively grown is the McIntosh Red, which reaches perfection in this valley. From 130 trees near Hamilton a profit of \$1,750 has been realized. This is an exceptional yield, but a profit of \$300 to \$500 an acre is not unusual. A fruit buyer visited an apple orchard near Stevensville last summer and estimated that it would yield twelve thousand boxes. "Large, luscious, brilliant, perfect in form and color, not a worm or a blemish in a hundred thousand boxes, they are the most remarkable on earth," has been said of the Bitter Root apples. The apple export crop of 1911 was estimated at 450 cars. Since 1909 over three and a half million trees have been set out.

The large black Bing and Lambert cherries and sour cherries grow to perfection. The two former varieties find a market in New York City.

The Bitter Root strawberries are in great demand. The crop matures later than those of California and Hood river, and therefore supplies the market when the other varieties are gone. The berries are large and delicious in flavor.

Other successful fruit crops are pears, plums, peaches, etc., etc. Fruit tracts are usually irrigated, and water has been brought at great expense from distant reservoirs to insure an unfailing supply. For quality of product and profit yielded the orchards of the Bitter Root valley compare with those in the most famous fruit districts.

All grains, grasses and vegetables yield large crops. Newspaper reports of crops for 1911 were: Oats—produced on a ranch near Stevensville, 91 bushels to the acre; on farms near Victor, as follows: 104 bushels, 97 bushels, 107 bushels and 115 bushels. On another, 108 bushels of wheat were threshed from 1½ acres and 1,331 bushels of oats from 11 acres.



THE BITTER ROOT AND MOUNTAINS, STEVENSVILLE.



Other large crops are reported and the average for the valley is very high.

All vegetables thrive. An asparagus bed of less than one-half acre averaged its owner \$5 a day from April 15th to July 1st. Two acres of strawberries are then ripe and are followed by currants, cherries, cabbage and celery. A celery bed a trifle larger than an acre has yielded a profit of \$1,000. Potatoes, tomatoes, raspberries and pears are other profitable crops. The potato rivals the apple as a profit-producing crop, and appears on the menus of big eastern hotels as the "Big Bitter Root Potato," and is served on the dining cars of the Northern Pacific Railway. A farmer of Corvallis raised forty thousand pounds of potatoes on two acres of ground and sold the crop for ninety cents a bushel. Another rancher at Como gathered 913 pounds of potatoes from a lot 16 x 55 feet, which is equivalent to a yield of 759 bushels per acre.

Ravalli is not a range stock country, but has a large number of pure bred horses, cattle and hogs. The Bitter Root Stock Farm was formerly the home of Mr. Daly's stable of famous thoroughbreds and many noted race horses were raised there. The dairy stock is of high grade and the valley has many advantages for the dairy industry. One thousand people were present in August, 1911, at the opening of the new creamery at Stevensville, which succeeds one built in 1908, and whose patrons increased from twenty-two to four hundred. Professor Clark, of the Agricultural College, said that the Stevensville creamery is a benefit not only to the Bitter Root valley, but to the whole state, because it shows what can and should be done in every county. He stated:

"The people of Montana are consuming annually 7,460,000 pounds of butter and 2,611,000 pounds of cheese. The people of the state manufacture annually only two million pounds of butter and no cheese. This should not be so. We should produce at least all that we consume."

To the industries of fruit growing, farming and dairying, Ravalli county adds lumbering

on a big scale. The mill at Hamilton is one of the largest of the state and there are a number of mills of smaller capacity. Ravalli county has also mineral wealth, gold, silver, copper and coal.

The one railroad is the Bitter Root branch of the Northern Pacific, which extends from Missoula to Darby, sixty-four miles. It is expected that an electric line will be built through the valley from Missoula, and it is hoped that the Butte, Anaconda and Pacific that is building to Georgetown lake, will extend its line into the Bitter Root valley and afford direct communication with Anaconda and Butte.

Flourishing small towns are close together, the chief ones being Stevensville, Victor, Corvallis, Darby and Hamilton, the county seat and principal town. Hamilton has city water works, sewers, electric lights, a fine city hall and county courthouse, three saw mills, one flour and oatmeal mill, a creamery, an elevator, manufactories, and desires a beet sugar factory. It has one of the finest hotel buildings in the state, banks, large business establishments, good schools, many churches, two newspapers and is the chief trading point of a rich and growing country.

Stevensville, the next town in population and importance, has a city water works and electric lights, excellent schools, a hospital, six churches, banks, a library, many retail stores, a newspaper and a creamery with an output of about three hundred thousand pounds of butter. The first church in Montana was established there by Father DeSmet in 1841; the first wheat, potatoes and fruit were grown in its neighborhood and the first flour and saw mills erected by Father Ravalli.

Victor and Corvallis are flourishing towns in the valley surrounded by fruit and farming districts. Darby, the terminus of the railroad, sixteen miles south of Hamilton, is located in a rapidly developing country. Many new orchards have been set out, and it is expected that 1,660 cars will be required to move the fruit crop when they come into bearing. Besides many cars of sheep and cattle, 120 cars

of apples were shipped from Darby alone in 1911.

The vacant and unappropriated public land in 1908 was 105,646 acres, and 99,011 in 1911, all but 1,357 acres being unsurveyed and described as mountainous, timber, grazing and mineral.

The assessed valuations were \$4,760,241 in 1908, and \$6,094,102 in 1911, an increase of twenty-eight per cent in three years. The population was 7,882 in 1900, and 11,666 in 1910, an increase of forty-nine per cent.

#### GRANITE COUNTY.

Granite county is in the western part of Montana. Much of its area is covered by mountains and the land slopes toward the north to Hell Gate river. The Continental Divide crosses its southeastern border and a spur of the Rocky mountains defines its western boundary line. The county is drained by Hell Gate river, Flint Creek and Rocky Creek. The Bitter Root national forest embraces a considerable area within the county. Its vast mountainous country is covered with fine timber. Within these fastnesses is plenty of big game. Great peaks, beautiful lakes, cascades and streams attract nature lovers.

Mining is the chief source of revenue in this district, which contains a rich mineral area. Near the Deer Lodge county line there is much activity in mining and in other sections development work is in progress. In the West Fork country is a deposit of sapphires which many experts believe to be the largest deposit in the world. The quality of Montana sapphires is the finest and they find a ready market in Europe and the eastern cities. The Granite, a great silver mine near Philipsburg, from which \$40,000,000 have been taken, is still producing in small quantities. There are many promising mineral claims in the county that still await development.

The live stock industry ranks second in Granite county. There are many bands of fine horses and herds of blooded cattle. Dairying is a leading enterprise of the Flint Creek val-

ley. The dairy products of that vicinity have won numbers of prizes at the annual State Fair.

The valleys of Flint and Rock Creeks and Hell Gate river contain many acres of irrigated lands that yield profuse crops of grain and grasses. Flint Creek valley, extending from Drummond to Philipsburg, embraces the most productive agricultural section. The soil is alluvial, rich and deep, and convenient railroads transport grain, grasses, and vegetables to markets close at hand. Oats make large yields and crops of seventy-five to one hundred bushels per acre are not uncommon. In Rock Creek valley are many fine ranches. The average production of grain is high, but hay is the chief crop. Hell Gate valley has an easterly and westerly trend and a width in places of more than a mile of rich alluvial soil. The Northern Pacific and the Chicago, Milwaukee & St. Paul Railways run through it; and its productive lands offer many advantages. Dry land farming is also successful.

The advantages of the county for fruit growing are attracting attention. The soil and climate are favorable for the production of fruit on a commercial scale.

There are no bottom lands in Granite county subject to location as homesteads, but many acres of bench lands are vacant public land. The unappropriated and unreserved public lands in 1908 were 250,698 acres, and 188,412 acres in 1911.

Philipsburg, the county seat and principal town, is the terminus of a branch line of the Northern Pacific Railroad, had a population of 1,109 in 1910, is picturesquely built on the upper terraces of Flint Creek valley, has a good water system, an electric lighting plant, a courthouse, handsome homes, hotels, a bank and business houses. The public schools of Philipsburg and the Granite county high school afford opportunities for obtaining a good education. Hall, in the Flint Creek valley, is in the center of a prolific farming section, has an up-to-date creamery, and is known as "Spotless Town." Hall has a number of business establishments, is within easy reach of

lignite coal mines, and controls the trade of a populous farming district. Drummond, on the main line of the Northern Pacific Railroad where the Philipsburg branch starts, is the trading place for the northern end of the county.

The main line of the Northern Pacific Railway crosses Granite county and is paralleled the whole way by the main line of the Chicago, Milwaukee & St. Paul Railroad. The Butte, Anaconda & Pacific Railway is constructing a line from Anaconda into the Georgetown mining district in the eastern part of Granite county.

The area of Granite county is 1,617 square miles; the population in 1900 was 4,328, and 2,942 in 1910. The assessed valuation of property in 1908 was \$2,408,233, and in 1911, \$3,269,533, an increase of thirty-two per cent.

#### CARBON COUNTY.

When the placer gold fields of Montana first attracted the attention of those dwelling east of the Mississippi, the territory comprising Carbon county was a favorite gathering place of Indians who held councils there to discuss what measures they might adopt to check the ceaseless and increasing influx of white immigrants. Not until twenty years after Montana had been organized as a territory did this section attract more than passing notice. The day came, at length, when the prospector found the quest of coal as much a matter of necessity as that of gold. It was discovered at a point where the great Rock Creek valley narrows into a basin at the approach to the mountains. News of the discovery spread over the territory and soon it became known to the industrial world that in the existence of these immense coal deposits a new and great factor had entered into the development of the country. Red Lodge sprang into existence as the result of these discoveries and grew from a crude mining camp into a prosperous town. More people came and it was finally deemed best to create a separate county out of the vast expanse of Park and Yellowstone counties.

In the winter of 1895 Representative W. F.

Meyer, of Park county, introduced in the Legislature House Bill No. 9, having for its purpose the creation of Carbon county from portions of Park and Yellowstone counties. The bill passed the house by a large majority, Representative Meyer being aided loyally by his colleagues from Park county—Representatives Allen R. Joy of Livingston and Doctor Collins of Hunter's Hot Springs.

The assessed valuation steadily increased, and the people prospered, as official records disclose: 1895, \$1,300,000; 1896, \$1,369,272; 1897, \$1,367,642; 1898, \$1,826,513; 1899, \$2,206,635; 1900, \$2,346,547; 1901, \$2,572,824; 1902, \$3,253,543; 1903, \$3,054,356; 1904, \$3,522,932; 1905, \$4,062,063; 1906, \$4,217,886; 1907, \$4,906,982; 1908, \$5,314,703; 1909, \$6,487,031; 1910, \$7,191,148; 1911, \$7,422,213.

Carbon county lies south of the Yellowstone river, east of the Stillwater, west of the Crow Indian reservation, and north of the Wyoming state line. It is seventy miles long from east to west, and forty-five miles wide from north to south. It has an area of 2,411 square miles. The Pryor mountains traverse the southeastern portion of the county, while the rugged and beautiful Beartooth range lies in the southwestern quarter. The natural conformation is a succession of broad, rich valleys between wide, open ridges, running northerly from the mountains to the Yellowstone river. The altitude varies, Red Lodge being 5,500 feet above sea level.

Numerous small streams flow down the fertile valleys, furnishing an abundance of water for irrigation purposes not surpassed by any other agricultural section of the state. Water for irrigation, power and domestic purposes is furnished by the Yellowstone, Stillwater, Rocky Ford, Rosebud, Clark's Fork and their tributaries, making this perhaps the best watered county in the state. From the mountains flow streams of marvelous purity. Nowhere else in all the broad domain of the "Treasure State" are the natural resources more fittingly adapted to agriculture in its most diversified branches.

The broad valleys of Carbon county unfold



in the most wonderful of panoramas to the observing homeseeker and traveler. It must be remembered that Carbon county lies only a few miles from the borders of Yellowstone Park, and the majestic Beartooth mountains hold in their comprehensive embrace scenic beauties and wonders which are a constant attraction to the hunter or tourist. The streams abound with mountain trout, the fastnesses are at once the shelter and the pleasure grounds of big game. From all sections of the country huntsmen outfit here for a trip into the mountains and only the most unskilled return without their record of game. The lake region lies about thirty-five miles from Red Lodge. Beartooth lake is a beautiful mirror nearly a mile in width and over a mile in length.

Little Rock lake, stocked with trout, Grasshopper glacier, so named because of millions of grasshoppers in sight beneath a thin sheeting of purest ice, Sugarloaf mountain, a sentinel of the range, and the historic and mysterious old stockade, no one knowing when nor why nor by whom erected, are a few notable points of interest.

Reports of the United States land office show 558,968 acres of government land unappropriated and unreserved in that part of Carbon county lying in the Billings district; it is classified as one-third farming and grazing, the balance mountainous. In the Bozeman district Carbon county has 124,783 acres of unappropriated and unreserved land; one-fourth being farming and grazing, the balance mountainous. Hence, there is still ample opportunity for the homesteader.

The government meteorological report, kept for the past ten years, shows a mean temperature at Red Lodge, with an altitude of 5,500 feet, much greater than many portions of the county, of 40.8 degrees. For the ten year record mercury has stood at the following average point above zero; January, 23.2; February, 22; March, 26.6; April, 39.6; May, 46; June, 55.6; July, 61.2; August, 60.6; September, 52.4; October, 42.9; November, 33; December, 25.9. Situated at a high altitude, and in the north temperate zone, the weather

is subject to sudden changes, but periods when the thermometer records below zero are few and of short duration.

During the ten year period the prevailing wind direction has been southeast, save in the months of April and May, when it has been northwest. The average date of the first killing frost for the same period has been September 2, and the last killing frost has been June 13.

A precipitation of fourteen inches, most of which comes during the growing season as it does in Montana, is considered sufficient by the department of agriculture for successful dry land farming. Carbon county is far more fortunate. The government station at Red Lodge shows an average precipitation of 20.67 inches for a fourteen year period, and 9.6 inches of this comes in rain during the months of May, June and July when most needed by the agriculturalist. The average snowfall for six years, since the data was first kept, amounts to 115.8 inches, blanketing the mountain sides until released by the mild sunshine of spring to feed the range grass, and later to fill the streams from which the irrigation systems obtain their supply to force the valley crops.

Sixty-eight days in the year more than .01 of an inch of moisture falls; April has seven such days on the average, twelve in May, nine in June and six are in August.

Coal is the leading industry of Carbon county, according to the geological survey of the United States. The supply in these fields is practically inexhaustible. A government report shows, that there are 1,238,976,874 short tons of coal as yet unmined in the Red Lodge fields alone, which would make a solid block one mile square and one-fifth of a mile high.

In the Red Lodge field twelve hundred millions of tons still lie beneath the surface, still to be mined and marketed as a sub-bituminous coal unequaled for steaming and heating purposes.

Cascade county was first in Montana in the production of coal, and Carbon was second, but now the order is reversed. The production in Carbon county, where the Northwest-

ern Improvement Company is the principal producer, increased from 989,664 tons in 1909, to 1,211,205 tons in 1910, but the average price of coal declined from \$2.11 to \$2.04 per ton.

The production of coal in Montana in 1910 by counties given by the geological survey is as follows:

Carbon county, 1,211,205 tons; value \$2,470,205. Cascade county, 928,306 tons; value, \$1,425,820. Fergus county, 287,614 tons; value, \$523,119. Park county, 98,434 tons; value, \$211,655. Chouteau county, 17,327 tons; value, \$46,286. Other counties, 374,704 tons; value, \$644,889. Small mines, 3,497 tons; value, \$7,348. Total, 2,920,970 tons; value, \$5,329,322.

It will thus be seen that Carbon county produces nearly half the coal mined in Montana, both from a point of tonnage and of money value. Mines are now in operation at the following places in the county: Joliet, Fromberg, Bridger, Bearcreek, Washoe and Red Lodge. At Bearcreek and Washoe five companies are operating. This field is new, but is being developed rapidly. The mines of the Northwestern Improvement company at Red Lodge are the largest producers.

It is probable that development work on other and different mineral deposits will be carried on in Carbon county within the next few years. Near the headwaters of Butcher creek, about 15 miles west of Red Lodge, are petroleum fields, where the oil oozes out of the sandstone. The principal development work has been carried on by Colonel Thomas Cruse, of Helena. Several wells have been sunk, with a good showing of crude oil.

Along the base of the Beartooth mountains, in the southwest corner of the county, are immense reefs of the finest quality of limestone, from which lime has been manufactured for shipment almost exclusively to towns in southeastern Montana. Some day these deposits will cause great industrial activity.

Eight miles distant from Bridger a plaster of paris mill operated for a number of years. The product was shipped to all parts of the

state. The quality of the cement is of the best, and the gypsum deposit, from which it is manufactured, is practically inexhaustible. Gypsum deposits are a valuable asset, especially where the original deposit will run 80 to 90 per cent in purity as does this quarry. Contractors of wide experience in the use of plaster of paris and stucco have pronounced this quarry the best.

Immense sulphur deposits and mountains of marble are situated upon some of the tributaries of the Clarke Fork river, and iron ore abounds in the mountains—valuable at some future time for smelting and manufacturing purposes.

A number of other minerals have been discovered on the Bearcreek side of the mountains, which show low grade values of gold, silver and copper.

The Beartooth forest reserve, comprising 685,293 acres, lies in the southwestern portion of Carbon county. It is an immense domain, mountainous in the extreme, yet possesses many industrial possibilities. The time will probably come when the government will be able to save the timber and yet give this vast area wider use to the public.

The raising of alfalfa, timothy and clover has been the most profitable farm crop of Carbon county for many years, and the acreage is constantly increasing. The soil and climate are well suited to the growth of hay. Thousands of acres along the ditches and upon the bench lands are grown annually. Carbon county is in the timothy belt. The yield varies but it is usually more than satisfactory, as may be seen by the authentic crop reports. Hay fed stock brings high prices on the eastern market, and is one of the sources of revenue to the careful agriculturalist.

The crop next in importance perhaps, is oats. The yield is enormous and the quality of the grain raised is such as to create great demand for it. For weight, color and plumpness of the kernel, it is excellent. The yield in Carbon county is nearly always far above the average.

Wheat and barley are profitable crops, and

the yield is always good. The quality grown is fine, the berry well filled, and the weight runs high per measured bushel. This is generally true of either irrigated grains or those having sufficient precipitation during the growing season. The exceptional moisture of this section comes at the right time to secure the best results on dry land crops. Flax does remarkably well, and good crops are raised. All these cereals have been thoroughly tested and it may be stated positively that all conditions are especially adapted to their successful and profitable growth.

Carbon county possesses an excellent public school system. There are forty-six rural and seven city and village schools. A \$30,000 County High School building has just been completed. The school census of Carbon county shows 4,340 children of school age. There are 55 school districts, supplied by 120 teachers. School property was valued at the sum of \$168,720.50. The total amount received for school purposes was \$136,716.82.

The vast coal deposits existing at Red Lodge were known of many years before an attempt was made to develop them, but in 1887 the Rocky Fork Coal Company was formed, and active developments were commenced. In 1888 the town had a population of about four hundred. The Rocky Fork branch of the Northern Pacific Railway was completed in June, 1889, and was followed by a large influx of people. Settlers grew in numbers and the output of the mines greatly increased, new business houses opened up, and the place grew rapidly. The town was platted in 1889.

In the spring of 1892 T. P. McDonald and 135 others filed a petition for a special election to incorporate the town. A census was taken, showing the population to be 1,180. The election was favorable to the proposition by a vote of 146 to 18.

The place prospered the ensuing two years, hundreds of men were employed in the mines, and the payroll steadily increased. But on May 23, 1900, the first big fire devastated the business portion of Red Lodge. The property

loss was estimated \$100,000, with a comparatively small insurance, and but for the fact that no wind prevailed, the town would have been practically destroyed. Immediately afterwards an efficient volunteer fire department was organized, and it has been in active service ever since. The burned buildings were replaced by substantial fireproof structures.

Water works, telephone, electric lights, sewerage, cement sidewalks and many other improvements to the city have been added as the demands required, until Red Lodge is now one of the best and most progressive county seats in the state.

Red Lodge is at the terminus of the Rocky Fork spur of the Northern Pacific, 44 miles from the main line, and 45 miles from the Yellowstone Park by trail over the Beartooth mountains. It has excellent schools, churches, business houses of every kind, and is the political and trade center of the county. The census population of 1910 was 4,860. At this time it is safe to say that Red Lodge has a population of at least 5,500.

Among the other prosperous communities of Carbon county are Luther, situated at the foot of the Beartooth range; Rosco on the Big Rosebud river; Fishtail near the mouth of Fishtail creek; Absaroka on the Stillwater; Joliet on Rock creek; Fromberg in Clarke Fork valley; Bridger also situated in the Clarke Fork valley and many others.

#### BROADWATER COUNTY.

Broadwater county lies slightly south and west of the central part of Montana. Its eastern boundary is formed by the Big Belt range and a considerable portion of its area is mountainous. Its entire length is drained by the Upper Missouri river which has many small tributaries that rise in the neighboring peaks and flow down to swell its flood.

The industries of the county are mining, stock raising and farming. The mineral area is extensive and rich. Both placer and quartz mines have yielded great wealth. The largest mines are at Radersburg and Winston. From



them quantities of ore are shipped annually to the different smelters in the state. Radersburg is an active mining camp and has been since the early days. Much recent development work has been done, new ore bodies uncovered and many men employed in consequence. Until recently only high grade ore could be shipped on account of the absence of a railroad. The following from the report of the state mining inspector, for the year ending November 30, 1912, tells of the latest developments:

"The most active district in the county was Radersburg, owing to the construction of a branch line of railroad from Three Forks to the Keating property, a distance of 30 miles. This has aroused capital and has caused great activity throughout the entire district, some 5 or 6 new companies having entered the field. The immense tonnage of lowgrade ore which could not be mined and shipped by wagon will now be mined at a profit. The companies are all active in the development of the camp, the majority of them having encountered shipping ores containing high gold values. Some of the principal properties are the Keating, Black Friday and Ohio-Keating, which has attained a depth of 700 feet. The Great Falls Power Company has constructed an electric branch line from Boulder to the camp, a distance of 15 miles, which has electrified the entire district, eliminating the heavy cost of transportation of coal for operating purposes, stimulating the entire district. The prediction is that Radersburg will be the largest gold producer in the entire state in the near future."

Broadwater county is famous for its fine horses. Constant and expert care in breeding has been practiced for many years with excellent results. Fifty registered stallions, from the Shetland of 350 to the Percheron of 2,200 pounds are owned in this section. There are also numerous herds of fine beef and dairy cattle.

The building of a large modern creamery has been an incentive to ranchers to improve

the dairy stock which is now composed of blooded Jerseys, Holsteins and Red Polls.

The Townsend Creamery was built in 1904 by fifty farmers and business men who organized a company for that purpose. From a small beginning the output steadily increased until, in 1911, two hundred thousand pounds of the best butter was produced. The farmer is paid 29 cents a pound for butter fat at which price a cow of fair grade yields an annual income of \$70. Farmers find milk production also profitable. A family that has ten to twenty acres of good land and twenty cows can earn a comfortable living from the sale of milk. The butter finds a market at Helena.

The raising of hogs is remunerative and there are pure bred herds of Poland-China, Chester White, Berkshire, Duroc, and Hampshire hogs. A farmer of Townsend won at the state fair in 1911 the blue ribbon for a pen of Poland-Chinas and the first prize at the Spokane Interstate Fair.

Sheep have been the source of many fortunes for men who owned from two thousand to twenty thousand head. A start has been made in the raising of mutton sheep in small flocks, the nearness of good markets and the abundance of alfalfa and grain for fattening being local advantages.

The principal farming districts are in the Missouri and Crow Creek valleys where many thousand acres are irrigated. The chief crops are oats, wheat, alfalfa, timothy, and blue-joint hay. Oats make large yields, are of a superior quality, and are sold to cereal mills and for seed. Wheat is in demand from millers and many cars of alfalfa and timothy hay are shipped annually. Potatoes yield from three hundred to four hundred bushels to the acre and other vegetables do equally well.

During the last four years many thousand acres on the foot-hills and benches that extend from Three Forks to the northern end of the county have been settled upon and farmed without irrigation. A large part of the uplands is adapted to dry land farming and good crops have been raised at many places, the

rainfall in the spring and early summer being sufficient to produce large yields of all crops that are properly planted and cultivated. The soil, a very productive loam is easy to work. Winter wheat, rye, bald barley, and alfalfa are the main crops on dry land farms. Lands of this kind subject to homesteading may still be found. Large ranches have been subdivided and sold in farm lots. In 1908 there were 331,126 acres of unappropriated land in the county and 221,660 acres in 1911.

During 1912 large shipments of Turkey red wheat were made from the new elevators in Broadwater county direct to the Philippine Islands. It is stated that this county will furnish 1,500,000 pounds of oats to the government army posts including those of the Philippines. Broadwater grown wheat, oats, barley and alfalfa are taking high rank abroad. When the pea industry is established and the hog growing enterprise is properly launched Broadwater county will become a veritable mint.

Fine displays of cattle, horses, sheep, pigs, small grains, corn, grasses, vegetables and fruits are made at the county fair, and products from Broadwater county have won many prizes at the Montana State fair. The raising of apples and other fruits on a commercial scale is a new and promising industry. Apples of many varieties have been grown.

The main line of the Northern Pacific follows the Missouri valley from Lombard to Townsend, and the Butte branch is separated by the Jefferson river from the southern boundary. The Mondak-Helena line of the Great Northern will cross a mineral district in the northern part. The Chicago, Milwaukee & St. Paul, which enters the county near Lombard and passes through the southern end, is expected to build from Three Forks, via Radersburg, into the Missouri valley.

The chief towns are Townsend, Winston, Radersburg, and Toston. Toston is the shipping point for the mining camp of Radersburg, eleven miles west, and for an extensive country including much of the fertile Crow Creek valley. Winston, twenty-one miles

from Helena, is the supply point for a rich mining district and of a farming and stock region.

Townsend, the county seat and principal town, is located where the Northern Pacific Railroad crosses the Missouri river, is a financial and educational center. The city owns the electric lighting plant, has a volunteer fire department, five miles of sidewalks, graded streets, excellent schools, Catholic, Episcopal, Methodist and Methodist South churches, good school buildings, large business houses and residences. The area of Broadwater county is 1,182 square miles; the population in 1900 was 2,641, and 3,491 in 1910, an increase of 32 per cent. The assessed valuation was \$1,678,378 in 1908, and \$3,382,621 in 1911, an increase of 102 per cent in three years.

#### ROSEBUD COUNTY.

Rosebud county, which was created from Custer county in 1901, is located in the southeastern part of the state. It has an area of 9,510 square miles, is about 128 miles in length from north to south and approximately 72 miles wide. It is a part of the fertile Yellowstone valley. The Wolf and Rosebud mountains rise in its southern portion and the lofty Big Horn range penetrates its southernmost border.

The Yellowstone river runs through the county and it has an extensive contiguous valley. Other rivers which drain the section are the Tongue, the Rosebud, the Little Big Horn crossing the Crow Indian reservation, and the Big Horn which forms the county's western boundary. It is interesting to note that after the Custer massacre the legislature passed an act changing the name of the Little Big Horn to Custer river. The legal name, however, has never supplanted the old one and the river is still known as the Little Big Horn.

Aside from the natural sources of water supply there are a number of irrigating ditches which distribute water over the Yellowstone and Rosebud valleys. The crops on these lands are alfalfa, sugar beets, wheat, oats, barley,

corn and vegetables. In no county in Montana does corn thrive better. Stalks and ears of unusual size have been exhibited at the annual state fair held at Helena. The productiveness of the soil is strikingly shown by the great crops of vegetables and by the size of specimens. Yields on irrigated farms are about as follows: Wheat, 50 to 60 bushels; oats, 70 to 90 bushels; sugar beets, 18 to 22 tons; alfalfa hay—three cuttings—2 to 6 tons per acre.

When the county was created, stock raising was practically the only industry. It is still a profitable one, but it is being supplemented if not superseded by an increasing agricultural production.

Outside of the valleys farming is successfully carried on without irrigation, and it is on lands of this kind that most of the new settlers have made their homes. The dry farm experiment station six miles from Forsyth has demonstrated the possibilities of the bench lands of this section when properly cultivated. Yields of 16.09 bushels of flax, 29.83 bushels of spring wheat, 58.17 bushels of fall wheat, 40.17 bushels of corn and 281.57 bushels of potatoes grown without irrigation, prove conclusively the fertility of the great areas of prairie and bench lands of Rosebud county. The raising of fruits for commerce is a new venture, but gives promise of developing into an important industry.

In this county is a part of the Crow Indian reservation, including the agency. The Cheyenne Indian reservation, about 30 miles square in area, is situated in the southern part of the county. The Indians do some farming, raise much live stock, and yearly hold an industrial and agricultural fair that is creditable to them and interesting to visitors, though not nearly as much so as the native dances and ceremonies.

Rosebud county is immense in extent. In 1910 the population was 7,985, one-third of this number living in towns. The vacant and unappropriated public lands were 3,203,703 acres in 1908, and 1,980,763 in 1911. In three years 1,212,940 acres were filed on, showing a remarkable record.

The advance in the value of property illustrates in a striking manner how Rosebud county has developed. In 1901, when the county was created, the value of all property was \$2,853,220; in 1911 it was \$10,990,110, an increase in ten years of 285 per cent. In the three years between 1908 and 1911 the increase was 69 per cent.

The county is in an early stage of development and little publicity has been given to its many advantages. It has room and land for ten times its present population.

The Chicago, Burlington & Quincy Railroad runs through the Crow reservation. The Northern Pacific Railway crosses the county in the Yellowstone valley. From the eastern border to Forsyth the Chicago, Milwaukee & St. Paul runs along the north bank of the Yellowstone and then turns northwest into the Musselshell country. The principal towns and older farming districts are in the Yellowstone valley; and along the line of the Chicago, Milwaukee & St. Paul are many new towns which are trading places for the farming communities that have recently sprung up near them.

The principal town is Forsyth, the county seat, which is located on both railroads, and in population and business is the most important place in the large country between Billings and Miles City. Forsyth is progressive, has good schools and churches, a public reading room and gymnasium, hotels, business houses and attractive residences. The railroads employ a considerable number of men, and from Forsyth are shipped large quantities of wool and live stock. It is the trading point for an extensive and developing agricultural section.

Other towns on the Northern Pacific Railroad are Rosebud, which is a thriving town and commercial center for a large territory on both sides of the Yellowstone river and for the country drained by the Rosebud river, and Hysham in the western part of the county is surrounded by a very productive country and is a progressive and growing town.

The towns on the Chicago, Milwaukee & St. Paul are all young, but have made sub-



stantial growths in the past three years. Carversville is in an irrigated section that produces wonderful crops and has a trade which extends to the unirrigated districts north and south of it. Many new settlers have come into this part of the county, and Bascom, Sumatra and Ingomar are among the promising towns. Much live stock is shipped from stations along this line and to them come many homeseekers who are settling in the country to the north.

#### POWELL COUNTY.

Powell county is in the western central part of Montana. Its southeastern and northeastern boundaries are skirted by the main range of the Rocky mountains, which in this section has some especially fine peaks. The Flathead range just crosses its northwestern border. It is drained by the South Fork of the Flathead, the Big Blackfoot and Hell Gate rivers, together with their many tributaries.

In 1858 Granville Stuart, an honored pioneer, and five companions made at Gold Creek, in what is now Powell county, the discovery of placer gold which, it is claimed, led to the settlement of Montana. Though unable at the time to develop the placer they returned and began work in 1862. The news of their discovery led to the prospecting of other districts, and Bannack and Alder Gulch were discovered. Gold seekers in large numbers flocked into the country.

One of the first counties of the territory was Deer Lodge, which has since been divided into the four counties of Silver Bow, Deer Lodge, Granite and Powell. Within Powell county are much of the best lands contained in the original county, and it has retained as its county seat Deer Lodge, which was prominent in the history of pioneer days and is one of the oldest and most attractive towns in the state.

The industries are mining, stock growing and farming. The placers have been worked from early days and much gold has been taken from them. On both sides of Deer Lodge val-

ley are quartz mines and mineral claims. "Some of the best mining opportunities in any district of the state are to be found in the several mining properties in the Upper Ophil and Snow Shoe districts," says the state mine inspector. Near Helmsville and Ovando several gold and copper properties have been developed, and in the neighborhood of Elliston there is much activity in mining. On Dry Cotton wood creek, fourteen miles southwest of Deer Lodge, many sapphires have been mined.

Deer Lodge valley is located in the southern part of Powell county. It has an area of about three hundred thousand acres of fine farming land, and about five hundred thousand acres of grazing land, and is tributary to the city of Deer Lodge. Less than a tenth of the grazing land is now under the plow. The principal portion of the plowed land is under irrigation. The dry farming area is also being rapidly developed. The river bottom land in some places extends almost to the mountains, and is from ten to fifteen miles wide. The broad flat benches rise from fifty to five hundred feet above the river and terminate in the foothills and mountains. The benches have a gentle slope toward the river and many acres are irrigated by the mountain streams that cut through them on their way to the river. The boundaries of the forest reserves are but a few miles away—in some cases adjoining the farm area. The elevation of the valley of Deer Lodge is four thousand five hundred feet.

Alfalfa at the present time is the principal crop produced in Deer Lodge valley. Recent scientific tests have proved that alfalfa has many times the value of any other crop as a forage, and the demand for it is increasing in all parts of the world.

Climatic conditions in the valley are exceptionally favorable to winter wheat raising. Thousands of acres of fine winter wheat land are found in this section of Montana. Turkey Red is the variety best suited to the locality. Numerous yields of forty to fifty bushels an acre are recorded. This crop is harvested in August, which is the month of little or no

rain, giving the farmer a chance to take the best care of his grain. Winter killing is unknown and the snow covering is practically constant during the cold months.

Spring grain crops, such as oats, barley, flax and peas, are also a success. More than one hundred bushels of oats an acre are frequently raised on irrigated land and sixty bushels an acre by dry land methods. Field peas are extensively raised for hog feed. Nearly every variety of small fruit indigenous to this part of Montana can be successfully raised. Strawberries and cherries probably take first rank in the markets. The hardier fruits are successfully grown, and Deer Lodge valley possesses a number of big apple and cherry orchards.

Deer Lodge valley has good water, nutritious grasses, grains and forage plants. Excellent climate and cheap grazing lands can be found everywhere. The demand for dairy products is large and is principally filled from outside states, making the market good. Owing to the close proximity of Butte, Anaconda and Helena, dairying is very profitable. There are four dairies near Deer Lodge that furnish milk and butter to the city, and also ship their produce. A number of large ranches in the vicinity of Deer Lodge have recently changed hands and will be sold in tracts of moderate size with the result of adding greatly to the number of farms and the population in the valley.

The valley of the Little Blackfoot is not extensive, but contains many good farms. Nevada Creek valley is larger and in it are raised large crops of hay and grain. The Big Blackfoot valley is a fine stock country, which will change in part to a farming district when railroads are built into it. The soil is fertile, all grains do well, and in few sections can such profuse yields of timothy be secured.

Powell county is well timbered, especially in the northern part, and lumbering is an industry of importance. A large part of the land is mountainous, and where it is not covered by timber is a luxuriant growth of native grasses. Much attention has been paid to im-

proving the breeds of live stock and this section is noted for the excellence of its horses, cattle and sheep.

The main line of the Northern Pacific, after crossing the Continental Divide, follows the course of the Little Blackfoot river and at Garrison is joined by the line extending from Butte through the Deer Lodge valley. Through the latter valley the Chicago, Milwaukee & St. Paul Railroad runs. At Bonner, a logging road, which is believed to be the forerunner of a branch of the Chicago, Milwaukee & St. Paul, runs up the Big Blackfoot river into Powell county. The northern part of Powell county is expected to be the scene of much activity in railroad building within a few years.

Deer Lodge is one of the pioneer towns of Montana, its first settlement having been made in the early 60's. It is situated in the heart of the Deer Lodge valley in western Montana between the main range of the Rocky mountains in the east, and a spur of the main range on the west, at the foot of Mt. Powell, one of the loftiest of Montana's peaks. The altitude of the city is about forty-five hundred feet above the sea level, and is surrounded by mountains on all sides, with gentle valleys and broad benches rising from the Deer Lodge river to the mountains on either side. When the town was originally platted by the early pioneers who were eastern people, it was designed that Deer Lodge should become a city of homes. Trees were planted along the streets and in the parks and fields surrounding the city until now Deer Lodge enjoys the enviable reputation of being one of the most delightfully shaded cities in Montana, as well as having a most substantial growth of other foliage.

Deer Lodge has a population of about thirty-five hundred people. It has broad streets, a gravity water system coming from the mountains on the east side of the city, electric lights, parking and a city park. It is within an hour's ride of Butte and Anaconda, and two hours' ride from Missoula.

Deer Lodge has within its bounds the College of Montana, St. Mary's Academy, Powell County high school, and good public schools. These schools are all well maintained.

This city is an attractive place, from the standpoint of those who love outdoor sports. In its mountains, during the hunting season is found all of the big game that can be lawfully hunted. There are numerous lakes in the surrounding mountains, and many beautiful streams of clear, cold water flowing from the mountains into the Deer Lodge river. These streams are well stocked with mountain trout. Pleasure resorts, such as lakes and camping spots, are numerous.

The outlook for the city of Deer Lodge is bright. The Chicago, Milwaukee & St. Paul Railroad has recently located its shops and terminals in this town, which has added to its growth. Since the Chicago, Milwaukee & St. Paul improvements, and the coming of this railroad, one hundred and sixty acres of newly platted additions have been added to the city; one hundred and fifty new residences, costing in the aggregate about \$350,000, and twelve new business blocks have been erected, costing approximately \$200,000; a complete sewer system has been installed, costing about \$200,000; about twenty miles of cement sidewalks have been laid, costing approximately a quarter of a million dollars. The population has doubled, reaching its present size about thirty-five hundred. Recently, improvement districts have been created providing for public parking, curbing and grading of streets, which will add to the beauty of the city. The Chicago, Milwaukee & St. Paul Railroad is now building a machine shop, roundhouse, boiler shop and blacksmith shop. When these improvements are completed, the shops will be twice the present size, they will contain more than double the present amount of machinery, and will be more than double in capacity. This will give employment to eight hundred or more than double the pay-roll, which is now about twenty-two thousand dollars per month. In addition to the increase in shop capacity, more trains are contemplated by this railroad, because of increased business along the line.

Deer Lodge has surrounding it some of the largest ranches in Montana, one consisting of twenty thousand acres and another of eight

thousand acres, which have recently changed hands, and are now being controlled by eastern capitalists, whose purpose it is to cut them into small tracts and sell them to independent farmers.

Deer Lodge is on two trans-continental railroads, and has the advantage of one of the best markets in the northwest, to wit: the city of Butte, which buys everything from outlying districts that it consumes.

With its many advantages, its broad streets, beautiful lawns and shady highways, and with the fresh air and bright sunshine, Deer Lodge is one of the most attractive cities of western Montana.

Other towns are Elliston on the Little Blackfoot, a mining center, Garrison, a railroad junction point, and the trading place for a considerable territory, Ovando and Helmsville. Helmsville is the principal town in the northern part of the county and is surrounded by a good farming region which will experience rapid development when the railroad comes.

The vacant and unappropriated public lands in 1908 were 410,614 acres, and 397,457 in 1911. The assessed valuations were \$4,153,030 in 1908, and \$6,066,999 in 1911, an increase of 46 per cent. The population in 1910 was 7,822.

#### SANDERS COUNTY.

Sanders county, named for Col. Wilbur F. Sanders, was created in 1906 from a part of Missoula county. At that time it had a population of about three thousand and an assessed valuation of \$2,250,000. The county is situated on the western boundary of the state and has an area of 2,803 square miles, or about two million acres, of which five hundred thousand are agricultural and one million five hundred thousand grazing, timbered and mountainous.

The Cabinet mountains to the north and the Coeur d'Alene mountains to the south and west with their spurs, cover about three-fourths of the county; they are covered with dense forests which contain billions of feet of pine, fir, spruce, tamarack and cedar. Lum-



bering has been a leading industry since the Northern Pacific Railway penetrated this section in 1883. Much of this timbered country will make excellent farming land when cleared.

The county has a practically inexhaustible water supply,—Clark's Fork of the Columbia is its chief river. Within the boundaries of the county there are also the little Bitter Root river, Thompson river and Bull river.

A valuable asset of the region is the great water power in Clark's Fork and its tributaries. It is said that by constructing a 25-foot dam above Thompson Falls, it will be possible to generate sixty thousand horsepower. Clark's Fork of the Columbia is a large and swift stream, and the development of the county has been delayed by lack of bridges across it. Since 1910 considerable sums have been expended in improving highways and building long and costly bridges at Plains and Thompson Falls. These bridges are the means of opening communication with the adjacent agricultural districts.

The climate is mild and pleasant. The rainfall is about sixteen inches during the growing season. This is usually sufficient for crops. However, Clark's Fork river and the numerous other rivers and creeks provide more than ample water supply where irrigation is needed. The mountains encircling the valleys afford protection against cold winds. The altitude of many of the valleys is comparatively low, the elevation at Heron being 2,256 feet above sea level. The springs come early and the summers are longer than in most parts of the state, hence many varieties of fruits and vegetables thrive.

The soil in the bottom lands is usually a fine, deep, sandy loam, and on the bench lands a rich gravelly loam. Common yields per acre are from 2 to 4 tons of timothy, 4 to 5 of red clover, and 3 to 6 of alfalfa; 40 to 50 bushels of wheat, 60 to 100 bushels of oats, 60 to 70 bushels of barley, 600 bushels of potatoes, and vegetables and fruits in proportion, fine strawberries are grown which find a ready sale. The agricultural products are sold in all the large cities of the state, but the principal

market is in the mining camps of the Coeur d'Alene country, lying immediately south, with which there is a direct railroad connection by way of the Paradise-St. Regis cutoff. The prices obtained range from 80 cents to \$1 for wheat per bushel, from \$1.25 to \$1.50 per hundred for oats or barley, from \$10 to \$25 per ton for hay, from \$1 to \$2 per hundred for potatoes, from 2 to 2½ cents per pound for onions, and from \$1 to \$1.75 per box for apples.

The conditions of fruit growing are similar to those in the Bitter Root and Missoula valleys. The Northern Spy, the Baldwin, and the Spitzenberg, and the famous McIntosh Red apples are grown in the Plains valley. Many other kinds of fruit grow in profusion in all the valleys of this section. Sanders promises to become one of the chief fruit producing counties in the northwest.

The crop yields of 1911 were excellent. Farmers in the Plains valley threshed 43½ bushels of wheat per acre. Oats and hay made fine yields. An average of 650 bushels of potatoes to the acre have been produced. Five potatoes weighed fifteen pounds. The Sanders county display at the state fair aroused admiration. No county exceeded it in variety of products which, besides grains, grasses, dairy products and apples of many varieties, included grapes, peaches, quinces, pears, plums and many kinds of vegetables.

This county adjoins the famous Coeur d'Alene mineral district, and has a similar geological formation. Near Trout Creek and White Pine sufficient work has been done to show the existence of rich deposits of lead, silver and copper, and throughout the mountain regions are mineral claims that promise to develop into mines.

The Camas hot springs on the Flathead reservation have been reserved by the government. They have wonderful curative qualities, and may rival as a health resort the hot springs of Arkansas. Near Paradise are Quinn's hot springs.

Plains, in the productive Plains valley, the trading point for the western part of the Flathead reservation, is the chief town. It has a

water works system, electric lights, an elevator, a public school building which cost \$25,000, four churches, banks, newspapers, numerous business firms which have spent much money on permanent improvements, and many new buildings have been recently erected.

Thompson Falls, the county seat, a growing town in a rich, undeveloped district, has two public schools and a high school, a hospital, a church, a newspaper, a bank, hotels, stores and a fine system of water works.

In the vicinity of Thompson Falls are sixty thousand acres of good fruit land; and an irrigation project to cost \$300,000 is in process of construction to bring water on a part of these lands. The plan is to divide the holdings of the company into tracts of from ten to sixty acres and to sell them as fruit ranches. Fruits thrive in this vicinity, and it is expected that the completion of this project will lead to the coming of many settlers and to the planting of a large acreage of orchards. At Plains, also, fruit lands have been placed on sale in small lots. Opportunities are numerous to buy farms, orchards or fruit lands at low prices.

Paradise is a railroad point where there is a large roundhouse and a tie preserving plant.

Camas is a new town on the reservation that has grown up around the springs and promises to become an important place.

The unappropriated and unreserved public lands (not including the ceded Flathead lands which are disposed of under a special act) were 63,024 acres in 1908, and 37,152 in 1911.

#### LINCOLN COUNTY.

Lincoln county occupies the extreme northwestern corner of Montana. It was created in 1909 from Flathead county. The county is largely mountainous. In the northeast is the Whitefish range; running parallel with it is the Purcell range and in the northwestern section are the Loop mountains. Traversing the southwestern portion are the Cabinet mountains. The county is drained by the Kootenai river, the Yaak river, Fisher river, and

many creeks. Besides its multitudinous streams it has numerous springs and lakes. The scenery is magnificent. In the high altitudes of the Cabinet mountains is Blackwell Glacier. Within the forests there is much big game and the mountain streams contain quantities of trout.

The industries are lumbering, mining, agriculture and fruit growing. The greater part of the county is heavily timbered and large lumber mills operate at Libby, Eureka, Warland and Fortine. The quantity of timber is estimated at twenty billion feet, and the permanent importance of the lumbering industry in which large numbers of men and horses are employed, is assured. The lumber camps furnish a local market for farm products, and the wages of the workmen contribute largely to the business of the towns.

The mineralized area is extensive and rich. In the southwestern part is the Libby silver lead mining district, the rocks of which are said to be a counterpart to those of the rich Coeur d'Alene district of Idaho. The Snowshoe mine in this vicinity has produced approximately \$1,000,000. About forty miles southeast from Libby are the West Fisher gold fields, where many discoveries of rich ores have been made and much development work done. As soon as a railroad is built into this district it will begin to produce large quantities of gold. In the northern part near Eureka are also promising mineral claims; and the Yakt district, in which is Sylvanite, contains mineral wealth. The quartz mines present many opportunities for the successful investment of capital in their development. The building of a smelter at Libby will give a great impetus to mineral development. The Libby placers were among the first discovered in Montana and have been producing gold since the early 60's. Hydraulic mining followed ground sluicing, and gold dredges may be used where the ground is favorable.

The following extract from the report of the state mining inspector for 1912 gives the latest information concerning the development of mineral in this section:

"Lincoln county has not attracted the attention which this mineral-bearing section merits. The entire Cabinet range south of Libby has some of the most meritorious mineralized zones in the state. Where the proper development has been done commercial ore has been discovered in all parts of the district. Considerable capital has been invested in the Snowshoe district and plans are under way for installing the necessary plants for the reduction of ores which are of a concentrating character.

"Promising copper lodes have been found on the North Fork of the Platte river. The Libby and West Fisher districts show a steady improvement."

Tobacco Plains is the largest area without a growth of timber, smaller tracts of the same kind exist in other neighborhoods and the area of farm lands has been added to by clearing timber lands. Throughout the county the conditions of soil, rainfall and climate insure prolific growths of all grains, grasses, vegetables and fruits. The average rainfall is about twenty-four inches, irrigation is not necessary and the altitude, aside from the mountains, is low, being 2,308 feet at Eureka, 2,113 at Jennings, 2,055 at Libby and 1,881 at Troy. The growing season is long, and local markets for farm products are convenient. Oats and hay are the chief crops. Enormous growths are obtained. Stalks of winter wheat grow 6 feet high, winter rye nearly 7 feet high, timothy 6 feet high and oats nearly 7 feet high. On a ranch near Libby 79 potatoes have been dug from one hill. The total weight was 31 pounds and 51 were of commercial size. A potato weighing 4½ pounds was raised in this vicinity. A sunflower 14 feet high and cabbages weighing 20 pounds were exhibited at the county fair. Onions make large yields, and a visitor carried away from Libby a rutabaga that weighed 13½ pounds and a mangel-wurtzel 14½ pounds.

Lincoln county is destined to become a great fruit growing district. Strawberries grow to unusually large size and have a delicious flavor. From eighteen seven-year-old pear trees near

Libby one hundred bushels were gathered. A Bellefleur apple that weighed a pound was picked from an orchard near Troy.

The development of this fertile county has been retarded by the action of the government in putting into forest reserves 1,964,850 acres of land, much of which is said to be of value for farming and fruit growing. Concerning these lands Louis W. Hill, chairman of the board of directors of the Great Northern Railroad and son of James J. Hill, wrote in 1910:

"Our business men were greatly interested and pleased with the visit Governor Norris paid us recently and were greatly impressed with his able address delivered at the luncheon we tendered him, on which occasion my father stated that the lands of the Kootenai valley forest reserve, when turned open to settlement, should eventually be worth as much as the Wenatchee lands that range in price from \$1,000 to \$2,500 per acre. This is a strong statement, but I think your valley will prove it true."

Few sections of the country offer better opportunities for farmers, fruit growers, miners and lumbermen than Lincoln county, the great resources of which are in the infancy of development. Great benefits to country districts as well as to the towns will follow the construction of bridges and roads that are to be built as a result of the election that authorized the sale of bonds to procure means for these needed public improvements.

The Kootenai river drops sixty feet at Kootenai Falls and forty in the rapids, making a fall of one hundred feet in a mile. The minimum water power is 207,000 horse power. The Kootenai Power Construction Company has been formed to develop eighty thousand horse power at Kootenai Falls, at an estimated cost of \$6,000,000. The plan is to transmit the power not needed for local use to Spokane, Sandpoint and the Coeur d'Alene district. This plant will employ about one thousand workmen in Libby.

A large paper mill, pulp mill, woodworking plant and other manufacturing plants will be built in connection with this power plant.



Boston capital is financing the power company. An immense body of timber will be purchased from the forest service to supply the paper and pulp mills. The supervisor of the Kootenai national forest had samples of wood tested at the forestry laboratory, the test showing that not only is the spruce suitable for the manufacture of paper, but the lodgepole pine, hemlock, cottonwood and other varieties are also equally good. So with the great source of supply found in the forests of the county the mills will be able to run indefinitely.

Another larger power plant, with saw-mill, pulp and paper mills in connection, is to be built at the mouth of the Yaak river, west of Troy. A party of engineers has been at work, during the summer, laying out ground for a sixty-ton pulp and paper mill to be built by the Montana Pulp and Paper Company. A fifty-year lease of the water power has been secured from the government, and it is said that negotiations with the forest service have been practically concluded for the purchase of the annual yield of timber from the entire western side of the Yaak watershed, an area of over a quarter of a million acres with a stand of nearly two billion feet of timber. The construction of these mills, together with those of the Kootenai Power Company, will make the Kootenai valley the center of this industry.

The principal towns, all on the Great Northern line, are Eureka, Libby and Troy. Eureka is the chief trading point for the Tobacco Plains country, has electric lights, water works, churches, schools, a bank, a creamery a newspaper, business buildings and attractive residences. Large saw-mills give employment to many men. The town is surrounded by very productive farming and fruit districts and an immense forest. Eureka is a growing town, and has many openings. Copper, cement, rock and marl are mineral assets.

Libby, the county seat, on the Kootenai river, had a population of 630 in 1910, has fine public schools, business and residence buildings, hospitals, churches, banks, newspapers, numerous stores, water works, electric lights, many miles of graded streets and cement side-

walks. Libby is in a great timber district and has large saw-mills. The tributary country is rich in mineral, has beds of marble and includes part of the Kootenai valley orchard district besides many acres of good farm lands. Libby is growing rapidly, and has cheap fuel, available water power, clay, timber for wood pulp, excelsior and lumber.

Troy has a population of about five hundred, a public school, hotels, stores, neighboring sawmills, is the supply point for mining and lumbering districts, and is surrounded by lands where, because of low altitude, fertility of soil and long growing season, the most favorable conditions are found for the growth of tender as well as hardy varieties of fruits and vegetables.

The main line of the Great Northern passes through the county and a branch line from Rexford runs north into the Fernie district of Canada. It is expected that other lines will be built into this productive region.

The vacant and unappropriated public lands in 1911 were 3,785 acres, described as "mountainous timberland." The area of the county is 3,391 square miles, and the population in 1910 was 3,638. The assessed valuation of property in 1910 was \$5,165,601, and \$5,242,564 in 1911.

#### MUSSELSHELL COUNTY.

Musselshell is one of the newer counties of the state. Its creation in 1911, by an act of the legislature was the result of the rapid settlement of the country. For three years previous the more progressive citizens had agitated the creation of the new county. Of twenty county-creation plans submitted to the general assembly this was the only one successful.

Musselshell county is bounded on the east by Rosebud county, to the north by the Big Snowy mountains, south by Yellowstone county and to the west by Meagher and Sweetgrass counties. Within its limits lying to the south of Musselshell valley are the Bull mountains, with great deposits of coal. It is drained by

the Musselshell river and many tributary streams.

The climate is comparatively mild. Sheltered on every side by mountains, it is protected from the blizzards which sweep over more exposed portions of the state. Snow seldom lies long on the ground and the winter cold is tempered by warm Chinook winds, which blow from the southwest. The summers are mild and characterized by cool nights. The air is dry and consequently both cold and heat are less disagreeable than in a climate where humidity prevails.

The permanent settlement of this region began between 1880 and 1885, when a number of cattlemen located along the streams. Some years before, horse-stealing had been carried on along the Musselshell and stock had been ranged on the rich grazing land which was formerly an old-time haunt of the buffalo, but no one ever attempted to get title to property. Later, when the sheep and wool industry were found to be safer and more profitable than cattle raising exclusively, land was taken up along the streams for the purpose of controlling the water-rights and also, incidentally, because the rich bottom lands yielded fine crops of blue joint and timothy hay. The value of the bench lands for grain and other crops was still unknown. In 1908 the Puget Sound and Billings and Northern railroads were completed through Musselshell valley and the transition from a cattle and grazing to a farming country began.

When the Northern Pacific road first started on its long and difficult way to the Pacific coast enormous grants of land were made to the corporation by congress. Since that time each odd-numbered section in the majority of townships in Musselshell county has been owned by the Northern Pacific. By the summer of 1911 most of the government land had been taken up and developed into farms, and in the interest of the further improvement of the country, the commercial organizations of the various towns began to make insistent demands upon the Northern Pacific for the opening of its lands. Recognizing the

justice and previous benefit of this, the railway placed these odd-numbered sections on the market. These lands are in all respects similar to that which had been homesteaded and which produce banner crops of wheat, oats, rye, barley, flax and vegetables.

The light color of the soil of Musselshell county, like that of other portions of eastern and central Montana, for years deceived agriculturalists. The peculiar light color of the soil is due to mineral fertility and also because it has never been leached but by excessive rain. The average yield of grain is 22 bushels per acre. When the land is in a better state of cultivation the yield will be proportionately increased.

The Musselshell valley is well adapted to the growing of sugar beets and enough could easily be raised within its limits to supply a factory. Cheap coal or electric power is available for manufacturing enterprises. In addition to large fields of coal there are deposits of brick clay and building stone of excellent quality is found in almost every part of the county. The mountains which form the northern and southern boundaries contain dense forests from which fine timber is obtained.

Melstone, Musselshell, Roundup, Lavina and Ryegate are the principal towns of the county.

Melstone, a division point on the Chicago, Milwaukee and St. Paul Railway, is situated on the big bend of the Musselshell river. The town was started in October, 1908, and although only four years old and therefore scarcely out of its municipal swaddling clothes, has made satisfactory progress and is looked upon as one of the coming cities of Musselshell county.

Musselshell, the oldest town in Musselshell county, is pleasantly situated on the south bank of the Musselshell river in the famous Bull mountain coal field. To the south the land is rolling prairie with many beautiful and exceedingly fertile valleys. The land lying northward is more open, with but little timber. The long gentle swells of the country are indicative of ideal farming conditions.

A trading post was established in this vi-

cinity on the north bank of the river as early as 1877. In 1885 a store and post office were opened. The old Fort Custer-Fort Maginnis road crossed the river at this point and for a long while the place was known as "The Crossing."

In 1907 the railroad was built into Musselshell and with it came fresh prosperity and greater growth.

Roundup, the county seat of Musselshell county, is on the main line of the Chicago, Milwaukee and St. Paul Railway. It is one of the new towns, being about five years of age. The site of Roundup is in the valley of the Musselshell bordered by pine covered cliffs to the south and low bluffs to the north. South of the valley are the sandstone ridges and timbered slopes of the Bull mountains under which are the coal fields of central Montana. After surmounting the hills to the north are hundreds of square miles of good farming land extending to the Snowy mountains. Roundup promises to be an important commercial center.

Lavina was one of the several towns developed by the completion of the Chicago, Milwaukee & St. Paul extension to the coast. At the point where the town is situated the Musselshell valley is broad and fertile and even before the advent of the railroad it was well developed by progressive ranchers. Bordered both to the north and south by an area of stock raising and dry farming lands, and near the crossing of the Billings and Northern Railway with the Chicago, Milwaukee & St. Paul, Lavina has enjoyed continuous prosperity.

For many years a thriving inland trading point existed at Lavina. A stage road leading from Billings to the north country crossed the Musselshell at that point and the distance from Billings was such that stages and freight trains rested there, bringing considerable traffic. A bridge across the river was constructed by Yellowstone county, making the road practicable at all seasons. The home ranches of several large companies were also situated nearby. When the railroad came a more desirable town-

site was chosen about a mile to the east and all the newer improvements have been made there. During 1909 and 1910 many homesteaders came and settled on the bench lands to the north and the south, establishing homes and raising excellent crops. The stock industry, although not conducted on so large a scale as before the great ranges were taken up as homesteads, still flourishes, especially in the districts remote from the railroad, and large shipments of cattle and sheep are made yearly from Lavina. Within the past four years an attractive and busy town has grown up. The adjacent farms with their crops of winter wheat and other grain, the artesian water which is found there, the coal fields and shale of a fine quality for the manufacture of brick, all help to assure the future growth of Lavina.

Ryegate is in the extreme western portion of Musselshell county on the main line of the Chicago, Milwaukee & St. Paul Railway. The town was founded in 1908 and the first sale of town lots was held in June, 1909. Since its establishment it has grown steadily both in the number of inhabitants and in commercial consequence. The situation of Ryegate makes it the logical trading center for a large territory, covering about two hundred thousand acres of farming land. Most of this land can be cultivated under the dry farming system with excellent results as the average yearly rainfall is about 22 inches. All of the different grains, hay, alfalfa, and many kinds of vegetables are successfully grown. The bottom land is irrigated by an abundant water supply from the Musselshell river, and it yields wonderful crops of hay, grain and alfalfa. It is also valuable for fruit-growing. Ryegate is in the midst of a large coal area as yet practically undeveloped. There is one mine in operation about a mile from town which produces a grade of semi-bituminous coal of good quality, similar to that mined at Roundup. With the further development of the coal deposits and the rapid settlement of the large farming section tributary to Ryegate, the steady growth of the town seems certain.



## SWEET GRASS COUNTY.

Sweet Grass county is in the southern central part of the state. The Yellowstone river flows nearly through the central portion of the county. On the south the land rises from the river to the lofty peaks of the Absaroka range, and on the north to the range that forms the divide between the Musselshell and the Yellowstone river. The southern portion, much of which is included in a forest reserve, contains tracts of fine timber and a highly mineralized district where ores of gold, silver, lead and copper are found. There are also coal fields in this vicinity. Aside from its commercial assets this section is remarkable for its scenic beauty. It boasts of one of the most wonderful objects of the state,—the Natural bridge over the beautiful Boulder river. On several of the streams are unusually fine cascades. The Boulder river is famous for its trout.

The county is well watered and there are many valleys. The Yellowstone valley, about 55 miles long by two wide, the valleys of the Boulder, Big Timber, Sweet Grass, American Fork and Otter creek, of varying length and width, are the principal agricultural districts. Private irrigation ditches have brought water to the lands in the valleys where hay is the main crop and is raised in connection with stock growing. The county is noted for the excellence of the native grasses, and in consequence stock growing is an important and profitable industry. Sheep are raised in large numbers and great quantities of wool are shipped from Big Timber.

The farming is of both irrigated and unirrigated land, the latter a comparatively recent development. A great impulse has been given to the agricultural development of the county by the completion of the Big Timber Carey Act project which has made possible the irrigation of numbers of acres by means of private irrigation ditches. Many new settlers on these lands raised excellent crops in 1911. More land will be cultivated next year; and a large and prosperous community of farmers

and fruit growers will occupy lands that a few years ago were used only for grazing. Oats, 162 bushels to the acre, barley showing a cash return of \$48 an acre, wheat from 20 to 40 bushels, flax running to 25 bushels an acre, and potatoes remarkable for size and quality are reported as having been raised on lands in this project in 1911. Alfalfa is the chief crop on irrigated lands and yields about four tons per acre. Near McLeod 59 bushels of wheat and 70 bushels of oats to the acre have been harvested. Near Big Timber, wheat has yielded 50 bushels to the acre, the Grey cliff country threshed 691 bushels of wheat from 12 acres, and oats have averaged 94 bushels to the acre. Blue stem wheat has yielded 675 bushels.

The county has won many prizes for farm products. At the Dry Farming Congress of 1911, two gold medals, two silver medals, two first premiums, two second premiums and six third premiums for different kinds of grain in strong competition with exhibits from Canada and from various states, were awarded this county.

Farming without irrigation is a new development, but crops of wheat as high as 27 bushels to the acre are reported. Many orchards have been set out and the county promises to become a large producer of fruit. The soil and climate are well adapted for the growth of sugar beets. The conditions are favorable for hog raising and it promises to develop into a very profitable branch of farming. The excellence of the grass, water and climate suggest that dairying will become one of the leading industries.

The citizens of Sweet Grass county are endeavoring to secure a state fish hatchery, where the Boulder and the Yellowstone meet near Big Timber. Farmers have donated land for this purpose. Small towns that are trading points for the surrounding country are Melville in the northern and McLeod in the southern part of the county. Big Timber, the county seat, is the chief town. It is an attractive and growing place and is the trading and shipping

point for a rich agricultural and stock country.

The vacant and unappropriated public lands were 652,510 acres in 1908 and 391,869 in 1911. The population in 1900 was 3,086, and 4,029 in 1910, an increase of 31 per cent. Assessed valuations in 1908 were \$4,704,182 and \$5,759,818 in 1911, an increase of 24 per cent in three years.

#### HILL COUNTY.

Hill county is the northwestern third of that vast territory formerly embraced within the limits of Chouteau county. This division was made, as we have seen, by an act of the legislature in 1911. It is similar in its topography to Blaine and Chouteau counties. The Sweet Grass hills are in its northwestern corner and the Bear Paw mountains in its southeastern extremity. The Milk and Marias rivers and many creeks and lesser streams drain the prairies. The Fort Assiniboine Military reservation occupies the southeastern corner of the county.

Livestock has been the chief industry but agriculture is rapidly developing and taking a prominent place. Coal is mined near Havre. Although the land is still sparsely settled the acres under cultivation have demonstrated its fertility. Remarkable yields were recorded for 1911. A farmer brought to Havre from his ranch in that vicinity, a bunch of alfalfa that measured three and one-half feet in height. Another farmer dug 1,600 pounds of potatoes from one hundred pounds of seed; six or seven to the hill was the average but from one hill twenty-seven marketable potatoes were dug. These potatoes were planted on sod land that had been harrowed only once. Some samples weighed over two pounds each and all were smooth and regular in shape.

Flax yields are reported of 7, 8 and 9 bushels from Hingham and Chester. A farmer of this section had one flax stock that had 562 seed balls. A sunflower stalk 7 feet high, lettuce measuring twelve inches across the

top, immense cabbages and cauliflowers, and radishes as large as beets were other products of the Chester neighborhood. According to the *Galata Journal* seventy pods of beans grew on one bean stalk and a resident raised a turnip twenty-one inches in circumference. The *Hingham Review* says a woman raised a fifteen pound cabbage on her homestead claim. From the Sweet Grass hills come reports of good crops and of great activity in breaking and planting land. On two thousand acres a farmer harvested about 20 bushels of wheat to the acre.

The Great Northern Railroad crosses the county from east to west, and the Montana Central division runs from Havre and affords communication with Great Falls, Helena and Butte.

Chester, the chief town in the western part of the county, has grown rapidly from a cattle shipping point to a busy town with a population of about 800. It has recently been incorporated and many public improvements are planned. Chester has hotels, banks, a newspaper, seven stores, an elevator, and is the trading point for the Sweet Grass hills and of a territory embracing more than a million acres of good farming lands.

The most populous city is Havre, the county seat, which is located at the junction of the Montana Central division with the main line of the Great Northern. It is a railroad division point; and the shops, the monthly payroll of which is about \$60,000, are the third largest of the Great Northern Company. Havre has good schools, many churches, large business houses, banks, two newspapers, the United States land office, a fire department, electric lights and sewer system. It is the trading point of a large and rapidly developing region. Near the town a large coal mine is in operation and an immense bed of cement rock is awaiting development.

#### BLAINE COUNTY.

Blaine county which was created by an act of the legislature in 1911 from the northeastern

third of Chouteau county is chiefly prairie land. The Bear Paw mountains cross the southwestern boundary and the Little Rocky mountains rise in its southern section.<sup>1</sup> It is watered by the Missouri river which forms its southern boundary, the Milk river which crosses it from west to east and many tributary creeks. The Fork Belknap Indian reservation is in the central part of the county.

The industries are stock raising, mining and agriculture. Coal is found and mined near Chinook.

The Milk River valley is the chief agricultural section. The Milk River reclamation project is putting much arid land under irrigation and rendering it available for settlers. The land owners in the Chinook division of the Milk river project recently voted unanimously to petition the reclamation service to construct a complete irrigation system, including diversion dams, main canals and laterals to cover the irrigable lands in the Chinook division. here is a total of about 75,000 acres in the division, a portion of which lies in the Belknap Indian reservation, which it is understood, will be open to entry soon.

Record crops have been made in this district. Twenty-five miles north of Harlem is located an experiment station which has proved the fertility of the soil and its possibility under cultivation. The land at the station is typical of thousands of acres in the vicinity. A farmer near Harlem reports a crop of oats averaging 65 bushels to the acre, and wheat averaging 50 bushels. On unirrigated land north of Harlem, flax, the principal crop, had yielded 8 to 10 bushels to the acre. On dry land south of Harlem 10,000 cabbages were raised. Great quantities of blue joint hay are shipped from Harlem and Chinook. At the Montana State Fair of 1911 a Chinook farmer won the silver cup for the best display of six varieties of apples.

The Great Northern Railway crosses the county from east to west.

In the Milk River valley are several flourishing towns. Many thousand fertile acres are tributary to Dodson, which will receive much

benefit from the completed unit of the Milk River reclamation project. In a section the agricultural resources of which are rapidly developing is Harlem, an enterprising town. It has good business houses and residences, a newspaper, and ships many cars of cattle, sheep, wool, hay and grain. Chinook, an attractive and prosperous little city, is the county seat. It is surrounded by productive farm lands, has a coal mine, modern water works, numerous business establishments, churches, hotels, banks, a newspaper, a creamery, an elevator and has openings for an electric light plant and flax mill.

It is impossible to give reliable figures concerning the population, assessed valuation of property and land open to settlement, since Blaine became an independent county.

#### BIG HORN COUNTY.

On January 6, 1913, pursuant to law, a new county known as Big Horn was created out of portions of Yellowstone and Rosebud counties. The boundaries of Big Horn county are described as follows: Beginning at a point where the township line between townships 3 and 4, north range 34 east Montana principal meridian intersects mid-channel of Big Horn river; thence west along said township line to the northwest corner of section 6, township 3 north, range 33 east; thence south to the southwest corner of section 19, township 3 north, range 33 east; thence west to the northwest corner of section 30, township 3 north, range 32 east; thence south to the northwest corner section 6, township 2 north, range 32 east; thence west to the northwest corner section 2, township 2 north, range 31 east; thence south to the northwest corner section 14, township 2 north, range 31 east; thence west to the northwest corner of section 16, township 2 north, range 31 east; thence south to the northwest corner section 28, township 2 north, range 31 east; thence west to the northwest corner section 30, township 2 north, range 30 east; thence south to the southwest corner section 31, township 1 north, range 30 east; thence west to the northwest corner section 6, township 1



south, range 30 east; thence south to the northwest corner section 6, township 4 south, range 30 east; thence west to the northwest corner section 6, township 4 south, range 29 east; thence south to the southwest corner section 7, township 4, south, range 29 east; thence west to the northeast corner section 13, township 4 south, range 27 east; thence south to the southeast corner section 24, township 4 south, range 27 east; thence west to the southwest corner section 19, township 4 south, range 27 east; thence north to the northeast corner section, 25, township 4 south, range 26 east; thence west along the line of public survey to an intersection with the west boundary line of the Crow Indian reservation, thence in a southwesterly direction along the boundary line of said Crow Indian reservation to the southwest corner of said Crow Indian reservation; thence east along the boundary line of the Crow Indian reservation to an intersection of midchannel of Big Horn river; thence southwesterly along midchannel of said Big Horn river to its intersection with the north boundary line of the state of Wyoming; thence east along the north boundary line of the state of Wyoming to the county line, running north and south between Rosebud county, and the county of Custer; thence north along the county line between Rosebud county and the county of Custer to the northeast corner of township 8 south, range 44 east when surveyed; thence west to the northwest corner of township 8 south of range 41 east; thence north to the northeast corner of township 6 south of range 40 east; thence east to the southwest corner of township 5 south, of range 41 east; thence north to the northern line of the Northern Cheyenne Indian reservation; thence west following the northern boundary line of the Northern Cheyenne Indian reservation, to a point from which a line produced north would intersect with the south line of township 1 south, range 39 east, at the southeast corner

of section 33 township 1 south, range 39 east; thence north to the northeast corner section 4, township 1 south, range 39 east; thence east to the southeast corner of section 33, township 1 north, range 39 east; thence north to the northeast corner of section 21, township 1 north, range 39 east; thence west to the northwest corner of section 19, township 1 north, range 39 east; thence north to the northeast corner of section 1, township 1 north, range 38 east; thence west to the northwest corner of section 6, township 1 north, range 38 east; thence north to the northeast corner section 24, township 2 north, range 37 east; thence west to the northwest corner, section 19, township 2 north, range 37 east; thence north to the northeast corner, section 1, township 2 north, range 36 east; thence west to the northwest corner, section 6, township 2 north, range 35 east; thence north to the northeast corner, section 1 township 3 north, range 34 east; thence west along the township line between townships 3 and 4 north range 34 east, Montana principal meridian, to the point of beginning.

The county seat of Big Horn county is Hardin, the only incorporated town in the district.

Note: The growth of Montana in population and the development of its resources have been so rapid since much of the foregoing was written, that it is impossible, in a work of this magnitude, to present a chapter that will not become the subject of alteration between the time of preparation and the date it is printed, to be strictly up to date. The latest available statistics when this chapter was written were those of 1911, for the most part. It is conceded that they are now inaccurate, but it is impossible to secure later authentic data. They are sufficiently recent to serve the purpose of a chapter of this kind. Moreover, the creation of new counties has altered boundaries and changed areas in the foregoing. The latest figures obtainable are set forth. The reader's attention is invited to a consideration of these circumstances and to the difficulty of presenting a chapter upon this subject that is not, in some respects, obsolete almost as soon as it is written.

## CHAPTER XXXIV

### THE DEVELOPMENT OF MONTANA IN THE LAST DECADE—POPULATION—IMMIGRATION—AUGURIES FOR THE FUTURE

The development of Montana during the last decade presents an anomaly. Rapid as it has been, casual investigation leads one to enquire why so small a population inhabits a country that has more and better agricultural lands than most of the other commonwealths of the Union, and possesses a greater variety of natural resources than other states whose growth has surpassed our own. In this age of land hunger and rapid movement of population into new lands Montana had in 1910 only 376,000 inhabitants when with inferior resources Oklahoma had 1,657,155 and Iowa 2,224,771. Agricultural production sustains the population of these two great states, yet Montana has more and better farm lands than either.

In 1911 the acreage in corn, cotton, flax, wheat, oats, barley, rye, hay and potatoes in Oklahoma were 11,611,000 and the value of the crop \$96,404,000. Cotton is not an Iowa crop, and the acreage in corn, flax, wheat, oats, barley, rye, hay and potatoes in Iowa were 19,407,000, of the value of \$275,572,000. The acreage in Montana for the same year of corn, flax, wheat, oats, barley, rye, hay and potatoes were 1,977,000 of the value of \$40,257,000. The average value per acre of all crops named was: in Oklahoma \$8.30, in Iowa \$14.20, and in Montana \$20.36. The Oklahoma acres yielded crops worth \$96,404,000. Montana has more arable land than Oklahoma; and if the same number of acres had been cultivated in Montana the crops would have been worth \$236,399,000, a difference of 145 per cent over the production of Oklahoma. Iowa is a large state and one of the most fertile; yet Montana, not counting two-thirds of

its area which embrace the grazing lands and the mountains, forested and mineral lands, has more arable acres than Iowa. If Montana had had in cultivation in 1911 as many acres in the crops named as Iowa, and they had yielded the Iowa average, the product would have been \$275,572,000; but if the estimate is made on the Montana average yield for the same crops, the same acreage would have yielded \$395,326,520. The superior productiveness of Montana's soil is shown by the difference in its favor of \$119,754,520. Iowa is a state that has long been settled; but Oklahoma is younger than Montana and its rapid development, one of the remarkable events of the last two decades, shows how quickly good land will become occupied when thrown open to settlement and its advantages made known. In these modern times when land seekers are so numerous and when railroad transportation makes easy the movement of population, a new country may be peopled ten times as quickly as in former years. For these reasons the unoccupied acres in Montana will soon be settled upon; but it is now in the stage of development that Iowa was when one-tenth of its present cultivated acreage was producing crops. Acre for acre, Montana farms produce more than Iowa farms, and of the 30,000,000 acres of farm lands in the state, 28,000,000 were not cultivated in 1911, according to the government statistics. The farm lands of Montana will have to undergo a great development before the crops will equal in value those of Iowa; a start has, however, been made; the acreage in crops shows a remarkable increase each year; and

the percentage of gain, if kept up for a few years more, will put Montana among the states that lead in yearly value of farm products. If one-half of the 30,000,000 acres of arable land that are in Montana were all in cultivation and the yield per acre were the same as from those that were cultivated in 1911, the annual value of the crop would be \$303,900,000; and if the whole were producing at the same rate, the value of the crops would be \$607,800,000.

Many causes have contributed to the tardy progress of the state, and probably the most important one of all has been the prevailing belief that Montana was destined to remain a land of vast and uncultivated ranges for the rearing of cattle, sheep and horses and the production of precious metals. The people, until within the last few years, have devoted themselves to stock raising and mining, for these industries were known to be remunerative, and the impression was general that climatic and geographical conditions were not conducive to agricultural pursuits, except in the smaller valleys where abundant water could readily be procured. While other states, both East and West, and notably along the Pacific coast, forged rapidly ahead and were considered the mecca of the tiller of the soil, the world at large remained ignorant of the wonderful productiveness of our state, and thousands of home-seekers, lured from the Mississippi valley and other portions of the United States, to the virgin lands of the West, settled upon the broad acres of the Dakotas, or passing blindly through the fertile valleys of Montana, located in Washington, Oregon and the adjacent states upon the western sea. Thither they went convinced that the farm lands of this state were inferior to those upon which they continued to settle. For years false impressions of the character of the country and ignorance of climatic conditions here prevailed. It was thought that in this inland empire, removed from the large cities, freight rates would render the transportation of farm products prohibitive. Much was heard of our isolation from "eastern markets." Scientific

farming was either unknown or scoffed at, and it was incredible that without the constant use of irrigation, grain could be matured and harvested. Throughout this long period the giant lay asleep. Millions of acres of fertile, virgin farm lands basked in silence under the summer sun, uninhabited save by the roving bands of cattle and sheep, that fattened on the nutritious wild grasses of the plains, were shipped annually to market, round and sleek, to bring fancy prices that lined the pockets of the "cattle kings" with gold. Without shelter or care, victims of blizzards and starvation, the early hap-hazard methods of stock-raising came to be recognized as cruel, wasteful and expensive. The vast herds roaming and monopolizing the ranges became a thing of the past. The day of the "ranch" with its thousands of untilled acres is passing, and the "farm" of more modest proportions, yielding bountiful crops under the magic of scientific methods of cultivation is taking its place. This change from earlier conditions is bringing Montana into her own. The apparently arid and worthless lands once scorned are now known to be as productive as the valley of the Nile. The construction of many branch lines of the railroads traversing the state and an intelligent, systematic and sustained effort on their part to advertise the resources of Montana have also proved to be an important factor in advancing the material prosperity of the commonwealth.

The governmental census of 1910 credits Montana with only 376,053 inhabitants. It may with reasonable justification be assumed that 500,000 people are now to be found within its boundaries. But the fact remains that with a total land area of 146,201 square miles, the average number of persons to the square mile, according to the last census, was only 2.6. In 1900 it was 1.7. In 1890 there was only one human being per square mile in the state. In 1910, the average number of persons per square mile for the United States as a whole was 30.9. In 1900 the population was 243,329. Between 1900 and 1910 the increase was 132,724, or 54.5 per cent. During



the same period the total population of the United States increased 21 per cent. Census statistics of Montana were for the first time published in 1870. During the forty years since that date, its population has increased rapidly, nearly doubling during the first decade from 1870 to 1880; increasing more than three and one-half times during the second decade from 1880 to 1890; and more than two and one-half times during the last decade from 1890 to 1900. The following table shows the population at each census from 1870 to 1910, inclusive, together with the increase and per cent of increase during each decade, in comparison with the per cent of increase for the United States as a whole.

Census Year	Population	Increase Over Preceding Census		Per cent of Increase for U. S.
		Number	Per cent	
1910 . . .	376,053	132,724	54.5	21.0
1900 . . .	243,329	100,405	70.3	20.7
1890 . . .	142,924*	103,765	265.0	25.5
1880 . . .	39,159	18,564	90.1	30.1
1870 . . .	20,595	.....	.....	.....

\* Includes population (10,765) of Indian reservations enumerated.

Compared with the acreage of the state, the paucity of inhabitants becomes strikingly apparent, and its progress, particularly between 1900 and 1910 is emphasized when the following table is examined. It summarizes the more significant facts relating to population and land area, the number, value and acreage of farms, and the value of all other farm property during the decade mentioned.

NUMBER, AREA, AND VALUE OF FARMS	1910 (April 15)	1900 (June 1)	INCREASE <sup>1</sup>	
			Amount	Per cent.
Population .....	376,053	243,329	132,724	54.5
Number of all farms.....	26,214	13,370	12,844	96.1
Approximate land area of the state .....acres	93,568,640	93,568,640	.....	.....
Land in farms.....acres	13,545,603	<sup>2</sup> 11,844,454	<sup>2</sup> 1,701,149	<sup>2</sup> 14.4
		<sup>3</sup> 8,344,454	<sup>3</sup> 5,201,149	<sup>3</sup> 62.3
Improved land in farms,	3,640,309	<sup>2</sup> 1,736,701	<sup>2</sup> 1,903,608	<sup>2</sup> 109.6
		<sup>3</sup> 1,725,720	<sup>3</sup> 1,914,589	<sup>3</sup> 110.9
Average acres per farm....	516.7	<sup>2</sup> 885.9	<sup>2</sup> — 369.2	<sup>2</sup> — 41.7
Value of farm property:				
Total .....	\$347,828,770	<sup>2</sup> \$117,859,823	<sup>2</sup> \$229,968,947	<sup>2</sup> 195.1
		<sup>3</sup> 110,225,423	<sup>3</sup> 237,603,347	<sup>3</sup> 215.6
Land .....	226,771,302	<sup>2</sup> 52,660,560	<sup>2</sup> 174,110,742	<sup>2</sup> 330.6
		<sup>3</sup> 45,685,560	<sup>3</sup> 181,085,742	<sup>3</sup> 396.4
Buildings .....	24,854,628	<sup>2</sup> 9,365,530	<sup>2</sup> 15,489,098	<sup>2</sup> 165.4
Implements and machinery .....	10,539,653	<sup>3</sup> 9,340,530	<sup>3</sup> 15,514,098	<sup>3</sup> 166.1
		<sup>2</sup> 3,671,900	<sup>2</sup> 6,867,753	<sup>2</sup> 187.0
		<sup>3</sup> 3,371,900	<sup>3</sup> 7,167,753	<sup>3</sup> 212.6
Domestic animals, poultry, and bees.....	85,663,187	<sup>2</sup> 52,161,833	<sup>2</sup> 33,501,354	<sup>2</sup> 64.2
		<sup>3</sup> 51,827,433	<sup>3</sup> 33,835,754	<sup>3</sup> 65.3
Average value of all property per farm .....	\$13,269	<sup>2</sup> \$8,815	<sup>2</sup> \$4,454	<sup>2</sup> 50.5
Average value of land per acre .....	\$16.74	<sup>2</sup> \$4.45	<sup>2</sup> \$12.29	<sup>2</sup> 276.2

<sup>1</sup> A minus sign (—) denotes decrease.

<sup>2</sup> Includes Crow Indian Reservation.

<sup>3</sup> Excludes Crow Indian Reservation.

NOTE.—Ranges or ranches using the public domain for grazing purposes but not owning or leasing land were counted as farms in 1910 and 1900. They were included as owned or managed, free from mortgage, and under 3 acres in size. The counting of these ranges as farms affects all totals, averages, and percentages in which the number of farms is a factor. In 1910 there were 220 such ranges included as farms.

Therefore it will be seen that the number of farms almost doubled, increasing 12,844, or 96.1 per cent. The total farm acreage increased only 1,701,149, or 14.4 per cent. The small gain in acreage is due largely to the fact that in 1900 the Crow Indian Reservation of 3,500,000 acres was leased by a corporation for grazing purposes and was included as a farm. Less than one-fifth of this reservation was reported as farm land in 1910. Excluding this "farm" for 1900, the increase was 5,201,149 acres, or 62.3 per cent. The acreage of improved land in farms increased more rapidly than any of the above items, having more than doubled during the decade.

Farm property, which includes land, buildings, implements and machinery, and live stock (domestic animals, poultry, and bees), has increased in value during the decade about \$230,000,000, or 195.1 per cent. This increase is made up of increases of \$174,111,000 in the value of land, of \$15,489,000 in the value of buildings, and of \$40,369,000 in the value of farm equipment, which includes implements and machinery and live stock, of which over four-fifths represents the gain in the value of live stock and the remainder the increase in the value of implements and machinery. In considering the increase of values in agriculture the general increase in the prices of all commodities in the last 10 years should be borne in mind.

The average value of a farm with its equip-

ment in 1900 was \$8,815, while 10 years later it was \$13,269. The average value of land rose from \$4.45 per acre in 1900 to \$16.74 in 1910, this advance being accompanied by increases in the average value per farm of buildings and of implements and machinery. The reported acreage of improved land more than doubled from 1900 to 1910, so that the percentage of farm land improved has risen. These percentages are, however, as already explained, greatly affected by the classification of the Crow Indian Reservation as a farm in 1900.

Since 1870 both the total farm acreage and the improved land in farms have increased rapidly. The proportion of the total land area of the state which was occupied by farms increased from 0.1 per cent in 1870 to 14.5 per cent in 1910. The proportion which improved land formed of the total land area in farms increased slightly from 1870 to 1880, and then decreased rapidly during the next two decades from 64.7 per cent in 1880 to 14.7 per cent in 1900. This was due to the inclusion in the total farm acreage of much grazing land, some of which, at least, had been previously used for grazing as free public range. At the census of 1910, 26.9 per cent of the farm acreage was reported as improved.

The agricultural changes in Montana since 1870, as reflected in the values of the several classes of farm property, are shown in the table which follows:

FARM PROPERTY

Census Year	Total		Land and Buildings		Implements and machinery		Domestic animals, poultry and bees,	
	Value	Per cent of Increase	Value	Per cent of Increase	Value	Per cent of Increase	Value	Per cent of Increase
1910 .....	\$347,828,770	195.1	\$251,625,930	395.7	\$10,539,653	187.0	\$85,663,187	64.2
1900 <sup>1</sup> .....	117,859,823	96.0	62,026,090	143.1	3,071,900	170.8	52,161,833	56.8
1890 .....	<sup>2</sup> 60,135,102	369.6	25,512,340	688.7	1,356,010	238.0	<sup>2</sup> 33,266,752	262.8
1880 .....	<sup>2</sup> 12,806,243	494.4	3,234,504	454.5	401,185	244.8	<sup>2</sup> 9,170,554	530.3
1870 <sup>3, 4</sup> .....	2,154,659	.....	583,355	.....	116,350	.....	1,454,954	.....

<sup>1</sup> Includes Crow Indian Reservation.

<sup>2</sup> Includes estimated value of range animals.

<sup>3</sup> No data prior to 1870.

<sup>4</sup> Computed gold values, being 80 per cent of the currency values reported.

The total wealth in the form of farm property was nearly \$348,000, of which 72.3 per

cent is represented by land and buildings, 3 per cent by implements and machinery, and

24.6 per cent by live stock. The total value of farm property almost trebled between 1900 and 1910, increasing by about \$230,000,000. Of the total increase in value \$189,600,000 was in land and buildings, \$6,868,000 in implements and machinery, and \$33,501,000 in live stock. The absolute gain in total value of farm property was nearly four times as great, and the percentage gain over twice as great in the decade from 1900 to 1910 as during the decade immediately preceding, but the percentage gain during each of the decades between 1870 and 1890 was much greater than during either of the last two decades, as might be expected in a territory newly opened to settlement.

The changes which have taken place during the past 40 years in the average acreage of Montana farms and in the average values of

the various classes of farm property, as well as in the average value per acre of land and buildings, are shown in the next table.

One striking characteristic of Montana is the great area of semi-arid land utilized for grazing purposes only, or left unutilized. Upon this land are located some very large farms or ranches, frequently exceeding 100,000 acres in extent. These large holdings give a high average number of acres per farm. Moreover, at the time of the census of 1900, the Crow Indian Reservation of 3,500,000 acres, leased by a corporation for grazing purposes and included as a farm, added 261.8 acres to the average size. Farms other than those used almost exclusively for grazing are not, on an average, unusually large.

AVERAGE VALUE PER FARM.<sup>1</sup>

Census Year	Average acres per farm	All farm property	Land and buildings	Implements and machinery	Domestic animals, poultry and bees	Average value of land and buildings per acre
1910 .....	516.7	\$13,269	\$9,599	\$402	\$3,268	\$18.58
1900 <sup>2</sup> .....	885.9	8,815	4,639	275	3,901	5.24
1890 .....	350.6	<sup>3</sup> 10,733	4,553	242	<sup>3</sup> 5,937	12.99
1880 .....	267.1	<sup>3</sup> 8,431	2,129	264	<sup>3</sup> 6,037	7.97
1870 <sup>4, 5</sup> .....	164.0	2,532	685	137	1,710	4.18

<sup>1</sup> Averages are based on "all farms" in state.

<sup>2</sup> Includes Crow Indian Reservation.

<sup>3</sup> Includes estimated value of range animals.

<sup>4</sup> No data prior to 1870.

<sup>5</sup> Computed gold values being 80 per cent of the currency values reported.

During the 30 years, 1870 to 1900, the average size of Montana farms increased greatly. In 1900 the average size, 624.1 acres, exclusive of the Crow Indian Reservation, was nearly four times as great as in 1870. The increase had been continuous, averaging over 15 acres a year for the 30 years, but was considerably greater in the decade 1890 to 1900.

The average size has decreased from 624.1 acres (excluding the Crow Indian Reservation) in 1900 to 516.7 acres in 1910. This decrease averaging 107.4 acres per farm, or 17.2 per cent, in the average size, in an index of the increase in number of homesteads and of irrigated farms, which in most cases are of moderate size.

From the United States Geological Survey

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publications, the following statistics have been prepared with a view of showing the comparative development of many of the important industries and the growth of the state in other respects during the decade from 1900 to 1910.

#### MINERAL PRODUCTION

1900—Mineral production including coal, \$56,741,145.

1910—Mineral production including coal, \$53,687,575.

1900—Mineral production excluding coal, \$54,027,438.

1910—Mineral production excluding coal, \$48,358,253.

1900—Coal production, \$2,713,707.

1910—Coal production, \$5,329,322.



1900—Copper production, \$39,827,135.  
 1910—Copper production, \$36,170,686.  
 1900—Gold production, \$4,698,000.  
 1910—Gold production, \$3,730,486.  
 1900—Silver production (commercial value)  
 \$8,801,148.  
 1910—Silver production (commercial value)  
 \$6,567,942.  
 \*1910—Zinc production, \$1,708,462.  
 1900—Lead production, \$701,155.  
 1910—Lead production, \$180,677.  
 1900—Railroad mileage, 3,010.  
 1910—Railroad mileage, 4,207.  
 1900—Unappropriated and unreserved public  
 lands, 67,963,057 acres.  
 1910—Unappropriated and unreserved public  
 lands, 29,053,995 acres.  
 1900—Revenues of the state of Montana,  
 \$1,200,933.63.  
 1910—Revenues of the state of Montana,  
 \$3,284,764.15.  
 1900—Expenditures of the state of Mon-  
 tana, \$1,323,723.09.  
 1910—Expenditures of the state of Mon-  
 tana, \$3,213,091.57.  
 1900—Assessed valuations of all property,  
 \$153,401,591.  
 1910—Assessed valuations of all property,  
 \$309,673,699.

#### MANUFACTURES

1904—Number of establishments, 382.  
 1909—Number of establishments, 677.  
 Increase, 77.2 per cent.  
 1904—Persons engaged in manufactures,  
 10,196.  
 1909—Persons engaged in manufactures,  
 13,694.  
 Increase, 34.3 per cent.  
 1904—Capital, \$52,590,000.  
 1909—Capital, \$44,588,000.  
 Decrease, 15.2 per cent.  
 1904—Wage earners (average number)  
 8,957.

1909—Wage earners (average number),  
 11,655.  
 Increase, 30.1 per cent.  
 1904—Wages, \$8,652,000.  
 1909—Wages, \$10,901,000.  
 Increase, 26 per cent.  
 1904—Value of products, \$66,415,000.  
 1909—Value of products, \$73,272,000.  
 Increase, 10.3 per cent.  
 1909—Lumber and timber products, value,  
 \$6,334,000.  
 1909—Average number of wage earners,  
 3,106.

Having shown the number of inhabitants of the state so far as authentic figures shed light upon the question, the density of population, and the intimate connection between the number of residents and the material progress of the commonwealth, the composition and characteristics of those who have either been born within or have come into the state, become a matter of interest and importance. This consideration necessarily includes a discussion of immigration.

As early as 1866, Governor Green Clay Smith, in his first message to the territorial legislative assembly, speaking upon this subject said:

"After my appointment, and before coming to the territory, I visited the city of New York for the purpose of acquainting myself with the means which were being employed by a number of states to secure a portion of the desirable immigration which is voluntarily coming to this country every year from the civilized nationalities of Europe.

"I found that Wisconsin, Kansas, and a number of western and southwestern states had appointed commissioners of immigration; that each were engaged in collecting, preparing, and publishing authentic information as to the climate, soil, productions, and topography of their several states, and sending the facts thus compiled and published to the country whose people they regarded as the most desirable for American citizens and for permanent residents of their respective states.

\* In the chapter entitled: History of Mining in Montana, the unprecedented growth of the zinc industry since 1910 is shown.

"I learned that the young state of Minnesota had succeeded in securing a large immigration of Norwegians, Swedes and Germans—a population industrious, frugal, and admirably adapted to her rigorous climate and long winters; men and women fitted by intelligence and education to become worthy American citizens, and valuable residents of such a state. I am pleased to learn from sources deemed reliable, that she will probably secure this year between fifty and sixty thousand of this very desirable population.

"Anxious to promote the best interests of Montana, I selected before leaving New York, Benno Speyer, Esq., to act as commissioner of immigration, and requested him to prepare from such material as I gave him, a circular to be used in Europe at once, and advised him that as soon as I could obtain the requisite authority I should want him to translate and publish in German and Norwegian, and perhaps in one or two other languages, such facts touching the mineral and agricultural wealth of Montana, as any person duly authorized might furnish him.

"I informed him of the fact that I had no means at my disposal to pay the necessary expenses of postage, translating, and printing, but that I confidently hoped to secure the cooperation of the legislature and an appropriation sufficient to lay the foundation of an immigration movement commensurate with the wants and unsurpassed advantages of our territory. He at once prepared circulars and sent them to Europe and to the several lines of railroads leading from New York, Philadelphia and Boston westward. With the information obtained by answers to his circulars, he expected at the proper time to make advantageous contracts with the railroad and other transportation companies and he prepared to send immigration over the best, safest, and cheapest route to Montana.

"After reaching the territory, I was advised there would be no meeting of the legislature this winter; for this reason I have not requested a written report of Mr. Speyer, and

am, therefore, unable to advise you of the progress he has made.

"As the expenses incurred were made at my request, and without authority of the legislature, the territory is not responsible for them.

"Experience has demonstrated the practicality and importance of well directed immigration organizations. It is estimated by those who have given this subject thoughtful attention, that the number of immigrants which have arrived in the United States this year from the Christian nations of Europe, will number nearly half a million, and that next year the number will exceed half a million. Of this valuable population, the Scandinavian and German constitute more than one-half, and the Irish, at least one-fourth.

"Believing in the adaptability and non-adaptability of climate to races, and that in our own country, as well as among the civilized nations of Europe, there are those better adapted to the climate, productions, and wants of Montana, than others, I have sought to pave the way for the introduction of that class of immigrants which I regard as the most desirable for this territory. I believe it will be conceded by all practical men who have given this subject any thought, that Montana is better adapted to the hardy races of men and women from Great Britain and northern Europe than to any race from a tropical climate, whether white or black.

"To secure stability and prosperity to our territory, it has been my purpose to bring such European immigrants to Montana as may properly inter-marry with Americans and form a homogeneous and thrifty population of civilized Christian men and women, better qualified than any other to aid in laying broad and deep the foundations of an American commonwealth.

"The active and well directed efforts of several states to secure their proportion of the European immigration, is the best evidence of its value. If we desire any of this population as citizens and permanent residents of Montana, the advantages and inducements offered settlers in this territory must be truth-

fully and authoritatively placed before them prior to their departure from Europe. To do this, will require some care in the compilation of such information as would naturally be sought after by those intending to seek homes in a new and comparatively unknown country.

"If you concur with me in the opinion that immigrants from the countries named are desirable for Montana, I respectfully recommend that a small appropriation be made for the purpose indicated.

"The subject of immigration and cheap labor is attracting such general attention that I deem it not inappropriate, in this connection, to say that I am opposed to the introduction into Montana or into the United States, of laborers who are apprenticed for a term of years, no matter from what country they may come. I am also opposed to the importation of laborers from any of the barbarous or semi-civilized races of men, and do not propose to co-operate in any scheme organized to bring such laborers into Montana, or into any part of this country."

From the time the subject of immigration received the attention of Governor Smith, the increase in the population of Montana, although steady, was slower than that of many of the western territories, receiving an appreciable impetus with the coming of railroads and the discovery of many valuable ore bodies of gold, silver and copper, of great magnitude, and of almost inexhaustible deposits of coal. Millions of dollars had been taken from the placer mines, but they were soon worked out. With the certainty that great quartz mines existed, the mining industry assumed permanency and this led to a large increase in the mining population of Montana. Stockraising invited the outside world to swell the tide of those who were to make the territory their home. Then came the development of the agricultural possibilities that now are the wonder and surprise of the world. These agencies combined have been the important factors in bringing within our midst the thousands who now constitute the population of the state. In 1910 of the total population

of Montana, 162,127, or 43.1 per cent were native whites of native parentage; 106,809, or 28.4 per cent, were native whites of foreign or mixed parentage; 91,644, or 24.4 per cent, were foreign-born whites; 10,745, or 2.9 per cent, were Indians; 2,870, or 0.7 per cent, were Chinese and Japanese; and 1,834, or 0.5 per cent, were negroes. In 1900 the percentage of native whites of native parentage was 38.2.

Of the urban population, 40.3 per cent were native whites of native parentage; of the rural, 44.7 per cent. The corresponding proportions for native whites of foreign or mixed parentage were 31.5 and 26.7 per cent, respectively. The percentage of foreign-born whites was 26 in the urban population and 23.5 in the rural. The percentage of Chinese and Japanese was 1 in the urban and 0.6 in the rural; of negroes, 1.1 in the urban and 0.2 in the rural. Practically all of the Indians were in rural communities.

In the total population of the state there were 226,872 males and 149,181 females, or 152.1 males to 100 females. In 1900 the ratio was 160.3 to 100. Among native whites the ratio was 132.1 to 100; among foreign-born whites, 238.4 to 100. In the urban population there were 130.9 males to 100 females, and in the rural 165.4.

Of the total native population—that is, population born in the United States—35.3 per cent were born in Montana and 64.7 per cent outside the state; of the native white population, 66.6 per cent were born outside the state; of the native Indians, 13.5 per cent; and of the native negro, 80.9 per cent. Persons born outside the state constitute approximately the same proportion of the native population in urban as in rural communities.

In 1910 of the foreign born white population of Montana, persons born in Canada represented 14.7 per cent; Ireland, 10.3; England, 9.8; Germany, 9.5; Austria, 9.1; Norway, 7.8; Italy, 7.2; Sweden, 7; Finland, 4.5; Scotland, 3.7; all other countries, 16.4. Of the total white stock of foreign origin, which included persons born abroad and also natives having



one or both parents born abroad, Canada contributed 14.9 per cent; Ireland, 14.3; Germany, 13.4; England, 10.4; Norway, 7; Austria, 6.5; Sweden, 5.9; Italy, 4; Scotland, 3.5; Finland, 3.3; Denmark, 2.

There were, according to the census of 1910, 14,457 illiterates in the state, representing 4.8 per cent of the total population ten years of age and over, as compared with 6.1 per cent in 1900. The percentage of illiteracy was 9.4 among foreign-born whites, 0.4 among native whites, 55.8 among Indians, and 7 among negroes.

For all classes combined, the percentage of

illiterates was 3.3 in urban communities and 5.6 in rural. For each class separately the percentage was somewhat higher in rural than in urban communities.

For persons from ten to twenty years, inclusive, whose literacy depends largely upon present school facilities and school attendance, the percentage of illiteracy was 2.3.

The following tables clearly show how the sources from which our population as late as 1910 was drawn. Whence subsequent immigration has come, there are no reliable statistics.

## FOREIGN WHITE STOCK, BY NATIONALITY

FOREIGN COUNTRY IN WHICH BORN, OR IF NATIVE, IN WHICH PARENTS WERE BORN		WHITE POPULATION OF FOREIGN BIRTH OR FOREIGN PARENTAGE: 1910						Foreign- born white popu- lation 1900
		Total		Foreign born		Native		
		Number	Percent	Number	Percent	Both parents foreign born	One parent foreign born	
All countries . . . . .		198,453	100.0	91,644	100.0	68,606	38,203	62,373
Austria . . . . .		12,820	6.5	8,349	9.1	3,983	488	3,786
Bulgaria . . . . .		1,458	0.7	1,451	1.6	7	.....	.....
Canada—French . . . . .		6,604	3.3	2,874	3.1	1,943	1,787	3,266
Canada—Other . . . . .		23,057	11.6	10,627	11.6	4,043	8,387	9,988
Denmark . . . . .		3,941	2.0	1,943	2.1	1,302	696	1,041
England . . . . .		20,736	10.4	8,980	9.8	5,710	6,046	8,075
Finland . . . . .		6,623	3.3	4,111	4.5	2,380	132	2,101
France . . . . .		1,385	0.7	639	0.7	348	398	539
Germany . . . . .		26,668	13.4	8,669	9.5	11,610	6,389	7,192
Greece . . . . .		1,934	1.0	1,905	2.1	18	11	20
Holland . . . . .		2,016	1.0	1,054	1.2	707	255	316
Hungary . . . . .		2,142	1.1	1,486	1.6	601	55	276
Ireland . . . . .		28,431	14.3	9,469	10.3	12,549	6,413	9,434
Italy . . . . .		8,001	4.0	6,592	7.2	1,253	156	2,199
Montenegro . . . . .		497	0.3	481	0.5	16	.....	.....
Norway . . . . .		13,942	7.0	7,169	7.8	4,859	1,914	3,354
Russia . . . . .		3,443	1.7	2,228	2.4	1,071	144	507
Scotland . . . . .		6,911	3.5	3,373	3.7	1,653	1,885	2,421
Sweden . . . . .		11,802	5.9	6,410	7.0	3,865	1,527	5,346
Switzerland . . . . .		2,024	1.0	988	1.1	568	468	796
Turkey in Asia . . . . .		285	0.1	201	0.2	79	5	} 157
Turkey in Europe . . . . .		494	0.2	491	0.5	2	1	
Wales . . . . .		2,320	1.2	884	1.0	693	743	935
All other . . . . .		<sup>1</sup> 10,919	5.5	1,270	1.4	<sup>1</sup> 9,346	303	624

<sup>1</sup> Includes native whites whose parents were born in different foreign countries; for example, one parent in Ireland and the other in Scotland.

## HISTORY OF MONTANA

## COLOR, NATIVITY, AND PARENTAGE

CLASS OF POPULATION	NUMBER			PER CENT OF TOTAL		
	1910	1900	1890	1910	1900	1890
THE STATE						
Total population .....	376,053	243,329	142,924	100.0	100.0	100.0
White .....	360,580	226,283	127,690	95.9	93.0	89.3
Negro .....	1,834	1,523	1,490	0.5	0.6	1.0
Indian .....	10,745	11,343	11,206	2.9	4.7	7.8
Chinese .....	1,285	1,739	2,532	0.3	0.7	1.8
Japanese .....	1,585	2,441	6	0.4	1.0	(1)
All other <sup>2</sup> .....	24	.....	.....	(1)	.....	.....
Total native .....	281,340	176,262	99,828	74.8	72.4	69.8
Total foreign-born .....	94,713	67,067	43,096	25.2	27.6	30.2
Native white, total .....	268,936	163,910	87,360	71.5	67.4	61.1
Native parentage .....	162,127	92,937	56,401	43.1	38.2	39.5
Foreign parentage .....	68,606	46,246	20,781	18.2	19.0	14.5
Mixed parentage .....	38,203	24,727	10,178	10.2	10.2	7.1
Foreign-born white .....	91,644	62,373	40,330	24.4	25.6	28.2
URBAN POPULATION						
Total .....	133,420	84,554	38,787	100.0	100.0	100.0
White .....	130,531	82,631	36,969	97.8	97.7	95.3
Negro .....	1,455	931	628	1.1	1.1	1.6
Indian .....	66	11	2	(1)	(1)	(1)
Chinese, Japanese, and all other.....	1,368	981	1,188	1.0	1.2	3.1
Native white, total .....	95,875	58,050	24,752	71.9	68.7	63.8
Native parentage .....	53,774	29,384	15,472	40.3	34.8	39.9
Foreign parentage .....	27,397	28,666	9,280	{ 20.5 }	33.9	23.9
Mixed parentage .....	14,704					
Foreign-born white.....	34,656	24,581	12,217	26.0	29.1	31.5
RURAL POPULATION						
Total .....	242,633	158,775	104,137	100.0	100.0	100.0
White .....	230,094	143,652	90,721	94.8	90.5	87.1
Negro .....	379	592	862	0.2	0.4	0.8
Indian .....	10,679	11,332	11,204	4.4	7.1	10.8
Chinese, Japanese, and all other.....	1,526	3,199	1,350	0.6	2.0	1.3
Native white, total .....	173,061	105,860	62,608	71.3	66.7	60.1
Native parentage .....	108,353	63,553	40,929	44.7	40.0	39.3
Foreign parentage .....	41,209	42,307	21,679	{ 17.0 }	26.6	20.8
Mixed parentage .....	23,499					
Foreign-born white .....	56,988	37,792	28,113	23.5	23.8	27.0

<sup>1</sup> Less than one-tenth of 1 per cent.<sup>2</sup> Includes 11 Filipinos and 13 Koreans.

In reviewing Montana's development we find that it has proceeded in distinct epochs. First, in the remote beginnings of its settlement the fur trade predominated. The early sixties witnessed the discovery of fabulously rich placer mines which brought a sudden influx of a strangely heterogeneous population and with it the social crisis of the vigilante period. Placer mining gave way to the more stable quartz mining which became a source of immense wealth; but a new industry came to the front as picturesque and as intimately a part of western life as was the early mining camp; this was the stock business with its cattle kings, its cow-punchers and horse-wranglers and ranges that were empires. This phase in turn passed and very slowly and gradually the real hidden wealth of the state was revealed,—agriculture which is just in its infancy of development.

It must not be supposed that Montana's mines of gold, silver, copper, zinc and the other precious and semi-precious metals are less valuable than in the past, nor must it be assumed that her herds of cattle, sheep and

horses are no more. On the contrary, the mineral production is increasing and the live-stock industry, under scientific management, exceeds in extent the palmy days of the great range; but the people have come to realize that the horizon of endeavor is broader, and that the wealth of the state is divided amongst many diverse natural resources.

Within the borders of Montana, from the snowy summits of her sky-daring peaks to the amber flow of her prairies, the seeker may find opportunity according to his heart's desire. In the mountains and foothills are mineral, timber and range; in the valleys along the swift streams is rich farming land and on the benches grains mature to perfection.

It takes no prophet to see that the Montana of the future will be thickly settled with thrifty men and women who will exploit her vast virgin areas, promote her countless industries, manufacture her raw materials and populate her farm lands and cities. Indeed, the country but waits for the people. The opportunity is here for him who comes to claim his reward.





# APPENDIX

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## OFFICERS AND MEMBERS OF THE LEGISLATIVE ASSEMBLIES OF THE TERRITORY OF MONTANA.

First Session. Held at Bannack, the capital, December 12, 1864 to February 4, 1865.—Sidney Edgerton, governor; Henry P. Torsey, secretary; Robert Lawrence, president of the council; George Detwiler, speaker of the house.

Members of the Council: Frank M. Thompson and Erasmus D. Leavitt, Beaverhead county; Frank L. Worden, Choteau, Deer Lodge and Missoula counties; Nathaniel Merriman, Jefferson county; Charles S. Bagg, Robert Lawrence and Anson S. Potter, Madison county.

Members of the House: William Faulds and Andrew J. Smith, Beaver Head county; James Stuart, Deer Lodge county; Isaac N. Buck, Milo Courtright and George Detwiler, Jefferson county; John H. Rodgers, Patrick Ryan, Wila Huffaker, Alexander E. Mayhew, Francis Bell and Washington J. McCormick, Madison county; E. B. Johnson, Missoula county.

Second Session. (Extraordinary. Laws of, annulled by act of congress, March 2, 1867.) Held at the city of Virginia, the capital, March 5, 1866 to April 14, 1866.—Thomas Francis Meagher, secretary and acting governor; Anson S. Potter, president of the council; Alexander E. Mayhew, speaker of the house.

Members of the Council: Erasmus D. Leavitt and Ephraim F. Phelps, Beaver Head county; Washington J. McCormick, Choteau, Deer Lodge and Missoula counties; Nathaniel Merriman, Jefferson county; Charles S. Bagg,

Anson S. Potter and James G. Spratt, Madison county.

Members of the House: Andrew J. Smith, William Gardner and H. D. Weed, Beaver Head county; Alexander E. Mayhew, Deer Lodge and Choteau counties; Robert W. Mimms, A. S. Maxwell and Robert B. Parrott, Jefferson, Gallatin and Edgerton counties; George H. Hanna, John L. McCullough, John N. Rice, Levinus Daems, Andrew V. Corey and James McElroy, Madison county; James LaFontaine, Missoula county.

Third Session. (Extraordinary. Laws of, annulled by act of congress, March 2, 1867.) Held at the city of Virginia, the capital, November 5, 1866 to December 15, 1866.—Green Clay Smith, governor; Thomas Francis Meagher, secretary; Charles S. Bagg, president of the council; Alexander E. Mayhew, speaker of the house.

Members of the Council: William H. Chiles, Mark A. Moore and James G. Spratt, Madison county; Charles S. Bagg, Asa A. Brown and Elihu B. Waterbury, Deer Lodge county; Thomas J. Lowry, Ezekiel S. Wilkinson, Edgerton county; Sample Orr, James E. Callaway and G. G. Wilson, Meagher county; Ephraim F. Phelps, Beaver Head county; David Tuttle, Jefferson county.

Members of the House: Andrew J. Smith and Alfred M. Esler, Beaver Head county; Alexander E. Mayhew, Louis McMurtry, Thomas L. Gorham, James B. Wylie, and Peter McMannus, Deer Lodge county; A. S. Maxwell, Robert W. Mimms, Ray W. Andrews, John W. Rhodes, and J. B. Van Hagen, Edgerton county; James Gallaher and Charles P. Blakely, Gallatin county; Isaac N. Buck, Jefferson county; John L. McCullough, Har-

risson Jordan, John H. Rogers, M. Roach, and John Donegan, Madison county; Walter W. Johnson and John Owen, Missoula county; Thomas D. Clanton, and James W. Welch, Meagher county; Matthew Carroll and H. F. Snelling, Choteau county.

Fourth Session. Held at the city of Virginia, the capital, November 4, 1867, to December 13, 1867.—Green Clay Smith, governor; James Tufts, secretary; Charles S. Bagg, president of the council; Wellington Stewart, speaker of the house.

Members of the Council: Thomas Watson, Beaver Head county; Alexander Davis, Madison county; Charles S. Bagg, Deer Lodge county; Jasper Rand, Missoula county; John W. Corum, and William E. Cullen, Edgerton and Jefferson counties; Sample Orr, Choteau, Gallatin and Big Horn counties.

Members of the House: Frank E. W. Patton and Samuel Word, Madison counties; William H. Edwards and N. C. Boswell, Deer Lodge county; John A. Simms, Beaver Head and Missoula counties; Wellington Stewart, Jefferson county; James Gallaher, and James R. Weston, Gallatin and Big Horn counties; James M. Anderson, Harry R. Comly, John W. Rhodes and Whitman Tennant, Edgerton county; Henry A. Kennerly, Choteau county.

Fourth Session. (Extraordinary.) Held at the city of Virginia, the capital, December 14, 1867, to December 24, 1867.—Green Clay Smith, governor; James Tufts, secretary; Charles S. Bagg, president of the council; Wellington Stewart, speaker of the house.

Members of the Council: Thomas Watson, Beaver Head county; Alexander Davis, Madison county; Charles S. Bagg, Deer Lodge county; Jasper Rand, Missoula county; John W. Corum and William E. Cullen, Edgerton and Jefferson counties; Sample Orr, Choteau, Gallatin and Big Horn counties.

Members of the House: Frank E. W. Patton and Samuel Word, Madison county; N. C. Boswell and William H. Edwards, Deer Lodge county; John A. Simms, Beaver Head and Missoula counties; Wellington Stewart, Jefferson county; James Gallaher and James

R. Weston, Gallatin and Big Horn counties; James M. Anderson, Harry R. Comly, John W. Rhodes and Whitman Tennant, Edgerton county; Henry A. Kennerly, Choteau county.

Fifth Session. Held at the city of Virginia, the capital, December 7, 1868, to January 15, 1869.—Green Clay Smith, governor; James Tufts, secretary and acting governor; Samuel Russell, president of the council; Alexander E. Mayhew, speaker of the house.

Members of the Council: Thomas Watson, Beaver Head county; Alexander Davis and Samuel Russell, Madison county; Charles S. Bagg and Walter B. Dance, Deer Lodge county; Armistead H. Mitchell, Deer Lodge county; Jasper Rand, Missoula county; John W. Corum, William E. Cullen, and Harvey W. English, Lewis and Clark county; Albert G. P. George, Jefferson county; Thomas R. Edwards, Gallatin county; Sample Orr, Choteau, Big Horn and Meagher counties.

Members of the House: Robert D. Alexander, Andrew W. Brison, John Donegan and Robert F. Findlay, Madison county; J. Henry Hicks, John C. Kerley, Alexander E. Mayhew, John McLaughlin and Otis Strickland, Deer Lodge county; Harry R. Comly, James M. Ellis, William F. Powers, John W. Rhodes and John M. Sweeney, Lewis and Clark county; Simeon Estes and George W. Stapleton, Beaver Head county; George W. Wentworth, Missoula county; Morrow P. Lowry, Choteau county; John P. Barnes and Andrew Cooper, Meagher county; Chester W. Higley and Wellington Stewart, Jefferson county; David L. Shafer and Lester S. Willson, Gallatin and Big Horn counties.

Sixth Session. Held at the city of Virginia, the capital, December 6, 1869, to January 7, 1870.—James M. Ashley, governor; Wiley S. Scribner, secretary; Walter B. Dance, president of the council; James R. Boyce, Sr., speaker of the house.

Members of the Council: Thomas Watson, Beaver Head county; Levinus Daems and Samuel Word, Madison county; Walter B. Dance, Armistead H. Mitchell and Asa A. Brown, Deer Lodge county; Frank H. Woody,



Missoula county; Harvey W. English and John Jones, Lewis and Clark county; Albert G. P. George and Chester W. Higley, Jefferson county; Thomas R. Edwards, Gallatin and Choteau counties; John P. Barnes, Meagher and Big Horn counties.

Members of the House: Rufus O. Bailey, George F. Cope, Richard O. Hickman and William D. Wann, Madison county; N. C. Boswell, Stephen R. Elwell, Israel Gibbs, Thomas E. Pounds and Preston Scott, Deer Lodge county; James R. Boyce, Sr., Jonathan F. Forbis, Alfred B. Hamilton, John Murphy and Peyton T. Williams, Lewis and Clark county; Joseph A. Browne and Andrew J. Smith, Beaver Head county; William E. Bass, Missoula county; John J. Healey, Choteau county; Timothy E. Collins and Andrew Cooper, Meagher county; Harrison Jordon and Anthony H. Barret, Jefferson county; Achilles Lamme and Vardaman A. Cockerill, Gallatin and Big Horn counties.

Seventh Session. Held at the city of Virginia, the capital, December 4, 1871, to January 12, 1872.—Benjamin F. Potts, governor; James E. Callaway, secretary; Armistead H. Mitchell, president of the council; Harry R. Comly, speaker of the house.

Members of the Council: Chapman J. Kinney, George W. Stapleton and Henry L. Warren, Madison and Beaver Head counties; Armistead H. Mitchell, John Owen, A. T. Shoup and Granville Stuart, Deer Lodge and Missoula counties; Seth Bullock, Robert Fisher, James M. Howe and Robert Lawrence, Lewis and Clark and Jefferson counties; Stephen J. Beck and Timothy E. Collins, Gallatin, Meagher and Choteau counties.

Members of the House: James Garoutte, N. D. Johnson, Samuel M. Tripp, and Otis C. Whitney, Madison county; Edward D. Aiken, William W. Dixon, Charles A. McCabe, Henry D. Smith and John Williams, Deer Lodge county; John Billings, Harry R. Comly, Thomas J. Lowry, Silas F. Ralston and Daniel Searles, Lewis and Clark county; James C. Metlin and Philip H. Poindexter, Beaver Head county; William E. Bass, Missoula county;

William C. Wright, Choteau county; Israel Clem and Coleman Puett, Meagher county; Harrison Jordon and Frank M. Lowry, Jefferson county; Cary M. Tate and Robert P. Vivion, Big Horn and Gallatin counties.

Eighth Session. (Extraordinary.) Held at the city of Virginia, the capital, April 14, 1873, to May 8, 1873.—Benjamin F. Potts, governor; James E. Callaway, secretary; George W. Stapleton, president of the council; John H. Rogers, speaker of the house.

Members of the Council: George W. Stapleton, Edward T. Yager, Beaver Head and Madison counties; William E. Bass, Walter B. Dance, Dallas P. Newcomer and John Owen, Deer Lodge and Missoula counties; Seth Bullock, Robert Fisher, Robert Lawrence and James C. Stuart, Lewis and Clark and Jefferson counties; Stephen J. Beck, and Owen Garrigan, Choteau, Gallatin, Big Horn and Meagher counties.

Members of the House: Alexander Carmichael, Benjamin Ezekiel, Samuel Mallory, and Isaac S. Stafford, Madison county; Edward D. Aiken, Joseph A. Alger, Isaac Dean, John C. Kerley and John H. Rogers, Deer Lodge county; William A. Chessman, Andrew Dusold, Joseph Hartwell, F. George Heldt, and Wilbur F. Sanders, Lewis and Clark county; Joseph A. Browne and Christian Mead, Beaver Head county; James Kennedy and Cornelius C. O'Keefe, Missoula county; Charles A. Delaney, Choteau and Dawson counties; Curtis L. Harrington, and Charles W. Sutton, Meagher county; Otho Curtis and Rufus K. Emerson, Jefferson county; George W. McCauley, Jefferson county; George S. Coleman and Cary N. Tate, Gallatin and Big Horn counties.

Eighth Session. Held at the city of Virginia, the capital, January 5th, 1874, to February 13, 1874.—Benjamin F. Potts, governor; James E. Callaway, secretary; George W. Stapleton, president of the council; John H. Rogers, speaker of the house.

Members of the Council: Orlando B. Harber, George W. Stapleton and Edward T. Yager, Madison and Beaver Head counties;

Charles Cooper, Walter B. Dance, Louis R. Maillet, and Dallas P. Newcomer, Deer Lodge and Missoula counties; Rufus E. Arick, Alexander H. Beattie, James C. Stewart, James C. Walker, Jefferson and Lewis and Clark counties; Joseph J. Davis, and Owen Garrigan, Gallatin, Meagher, Choteau and Big Horn counties.

Members of the House: Alexander Carmichael, Benjamin Ezekiel, Samuel Mallory, and Isaac S. Stafford, Madison county; Edward D. Aiken, Joseph A. Alger, Isaac Dean, John C. Kerley and John H. Rogers, Deer Lodge county; William A. Chessman, Andrew Dusold, Joseph W. Hartwell, F. George Heldt, and Wilbur F. Sanders, Lewis and Clark county; Joseph A. Browne and Christian Mead, Beaver Head county; James Kennedy and Cornelius C. O'Keefe, Missoula county; James M. Arnoux, Choteau and Dawson counties; Charles W. Sutton and Curtis L. Harrington, Meagher county; Otho Curtis, Rufus K. Emerson and George W. McCauley, Jefferson county; George S. Coleman and Cary M. Tate, Gallatin and Big Horn counties.

Ninth Session. Held at Helena, the capital, January 3, 1876 to February 11, 1876.—Benjamin F. Potts, governor; James E. Callaway, secretary; Asa A. Brown, president of the council; Samuel W. Langhorne, speaker of the house.

Members of the Council: Thomas Watson, Beaver Head and Madison counties; James Hornbuckle, Choteau and Meagher counties; Joaquin Abascal and Asa A. Brown, Deer Lodge county; William Graham, Deer Lodge and Missoula counties; W. O. P. Hays, Gallatin county; Isaac I. Lewis, Gallatin and Jefferson counties; Edward Cardwell, Jefferson county; Philip Constans, William E. Cullen and Benjamin H. Tatem, Lewis and Clark county; John B. Allebaugh, Madison county; William E. Bass, Missoula county.

Members of the House: Christian Mead, Beaver Head county; Robert S. Ford, Choteau county; George W. Beal, Israel C. Burkett, John C. Moore, Granville Stuart and Patrick Woodlock, Deer Lodge county; Amos B.

Moore and Brigham Reed, Gallatin county; Samuel W. Langhorne, Gallatin and Jefferson counties; Edward G. Brooke and Otho Curtis, Jefferson county; William A. Chessman, Tilghman H. Clewell, Joseph H. McKnight, Wilbur F. Sanders and John M. Sweeney, Lewis and Clark county; Alexander Carmichael, David Kennealy, Loren B. Olds, Samuel Word, Madison county; Louis Rotwitt, and William E. Tierney, Meagher county; Alfred Cave, Washington J. McCormick and Frank L. Worden, Missoula county.

Tenth Session. Held at Helena, the capital, January 8, 1877, to February 16, 1877.—Benjamin F. Potts, governor; James H. Mills, secretary; William E. Bass, president of the council; Alexander E. Mayhew, speaker of the house.

Members of the Council: Thomas Watson, Beaver Head and Madison counties; Robert S. Ford, Choteau and Meagher counties; Asa A. Brown, Deer Lodge and Missoula counties; Armistead H. Mitchell and Elihu B. Waterbury, Deer Lodge county; W. O. P. Hays, Gallatin county; Perry W. McAdow, Gallatin and Jefferson counties; Isaac I. Lewis, Jefferson county; Philip Constans, William E. Cullen and Benjamin H. Tatem, Lewis and Clark county. John B. Allebaugh, Madison county; William E. Bass, Missoula county.

Members of the House: Aaron C. Witter, Beaver Head county; William A. Thompson, Choteau county; Joseph A. Hyde, Alexander E. Mayhew, James McElroy, Benjamin T. Porter and John C. Robinson, Deer Lodge county; Daniel P. Robbins and Robert P. Vivion, Gallatin county; Edwin N. Batchelder, Gallatin and Jefferson counties; Hugh F. Galen and Junius G. Sanders, Jefferson county; Walter F. Chadwick, Joseph Davis, Nicholas Kessler, Wilbur F. Sanders and George Steell, Lewis and Clark county; Richard O. Hickman, Horatio S. Howell, Henry H. Mood and Samuel Word, Madison county; Henry B. Brainard and Louis Rotwitt, Meagher county; James A. Dixon, Frank C. Ives and Washington J. McCormick, Missoula county.

Eleventh Session. Held at Helena, the capi-

tal, January 13, 1879, to February 21, 1879.— Benjamin F. Potts, governor; James H. Mills, secretary; Armistead H. Mitchell, president of the council; Samuel Word, speaker of the house.

Members of the Council: William G. Conrad, Choteau and Lewis and Clark counties; Martin Barrett, Beaver Head county; Joseph A. Hyde, Richard T. Kennon and Armistead H. Mitchell, Deer Lodge county; W. O. P. Hays, Gallatin county; Junius G. Sanders, Jefferson county; Warren C. Gillette and Anton M. Holter, Lewis and Clark county; Richard O. Hickman and Oscar A. Sedman, Madison county; William Parberry, Meagher county; Frank C. Ives, Missoula county.

Members of the House: Samuel A. Barbour, Beaver Head county; Alfred B. Hamilton, Choteau county; William T. Boardman, Samuel B. Cornick, John F. Forbis, James McElroy, John Noyes and John C. Robinson, Deer Lodge county; Caldwell Edwards and William L. Perkins, Gallatin county; Edward G. Brooke and Enoch Wilson, Jefferson county; Elizur Beach, James Fergus, Wilbur F. Sanders, George Steell, Granville Stuart and John M. Sweeney, Lewis and Clark county; Joseph J. Boyer, Edwin H. Coombs, Henry H. Mood and Samuel Word, Madison county; Curtis L. Harrington and James T. Thorpe, Meagher county; Joseph E. Marion, and Washington J. McCormick, Missoula county; Paul McCormick, Custer county.

Eleventh Session. (Extraordinary.) Held at Helena, the capital, July 1, 1879, to July 22, 1879. Benjamin F. Potts, governor; James H. Milles, secretary; Armistead H. Mitchell, president of the council; Samuel Word, speaker of the house.

Members of the Council: Martin Barrett, Beaver Head county; William G. Conrad, Choteau and Lewis and Clark counties; Joseph A. Hyde, Richard T. Kennon and Armistead H. Mitchell, Deer Lodge county; W. O. P. Hays, Gallatin county; Junius G. Sanders, Jefferson county; Warren C. Gillette and Anton M. Holter, Lewis and Clark county; Richard O. Hickman and Oscar A. Sedman,

Madison county; William Parberry, Meagher county; Frank C. Ives, Missoula county.

Members of the House: Samuel A. Barbour, Beaver Head county; Alfred B. Hamilton, Choteau county; William T. Boardman, Samuel B. Cornick, John F. Forbis, James McElroy, John Noyes and John C. Robinson, Deer Lodge county; Caldwell Edwards and William L. Perkins, Gallatin county; Edward G. Brooke and Enoch Wilson, Jefferson county; Elizur Beach, James Fergus, Wilbur F. Sanders, George Steell, Granville Stuart and John M. Sweeney, Lewis and Clark county; Joseph J. Boyer, Edwin H. Coombs and Henry H. Mood and Samuel Word, Madison county; Curtis L. Harrington and James T. Thorpe, Meagher county; Joseph E. Marion and Washington J. McCormick, Missoula county.

Twelfth Session. Held at Helena, the capital, January 10, 1881, to February 23, 1881. Benjamin F. Potts, governor; James H. Mills, secretary; Joseph K. Toole, president of the council; John J. Donnelly, speaker of the house.

Members of the Council: James B. Hubbell, Custer county; W. O. P. Hays, Gallatin county; Edward Cardwell, Jefferson county; William W. Morris, Madison county; Joseph A. Browne, Beaver Head county; Edward D. Aiken and Armistead H. Mitchell, Deer Lodge county; Frank L. Worden, Missoula county; Robert S. Ford, Choteau and Dawson counties; William B. Hundley and Joseph K. Toole, Lewis and Clark county; John C. Kerley, Meagher county.

Members of the House: J. C. Rogers, Beaver Head county; W. D. Davis, Beaver Head and Missoula counties; John J. Donnelly and Henry A. Kennerly, Choteau and Dawson counties; James H. Garlock, Custer county; Curtis L. Harrington, Custer and Meagher counties; John M. Bell, Israel Clem, Stephen DeWolfe, Christian B. Houser, Robert G. Humber and James K. Pardee, Deer Lodge county; Andrew L. Corbley and Michael Hanley, Gallatin county; Enoch Wilson, Jefferson county; Amos Eastman, Jefferson and Madison counties; Elizur Beach,



William E. Cullen, Henry M. Parchen, and John Stedman, Lewis and Clark county; Henry N. Blake and Oscar Alfred Sedman, Madison county; Jacob M. Powers, Meagher county; Henry Chambers, Missoula county.

Thirteenth Session. Held at Helena, the capital, January 8, 1883, to March 8, 1883.— Benjamin F. Potts, governor; J. Schuyler Crosby, governor; Isaac D. McCutcheon, secretary; Granville Stuart, president of the council; Alexander E. Mayhew, speaker of the house.

Members of the Council: Benjamin F. White, Beaver Head county; Henry S. Back and Alfred B. Hamilton, Choteau and Dawson counties; Charles G. Cox, Custer county; Armistead H. Mitchell, Deer Lodge county; George D. Thomas, Gallatin county; Edward Cardwell, Jefferson county; William A. Chessman and Warren C. Gillette, Lewis and Clark county; William W. Morris, Madison county; Granville Stuart, Meagher county; William E. Bass, Missoula county; Aaron C. Witter, Silver Bow county.

Members of the House: John E. Clutter and William T. Jacobs, Beaver Head county; Joseph A. Baker and William B. Settle, Choteau county; Sidney H. Erwin and Perry W. McAdow, Custer county; John F. Maloney, Dawson county; Joseph B. Armstrong and Alexander E. Mayhew, Deer Lodge county; Caldwell Edwards and Henry J. Wright, Gallatin county; Joseph S. Allen and Peter B. Mills, Jefferson county; Harry R. Comly, Frank D. Cooper and Robert C. Wallace, Lewis and Clark county; Henry N. Blake and Richard O. Hickman, Madison county; Thomas Dean and James E. Kanouse, Meagher county; Orlando B. Batten, Missoula county; John F. Forbis, Lee Mantle and Daniel O'Grady, Silver Bow county.

Fourteenth Session. Held at Helena, the capital January 12, 1885, to March 12, 1885.— B. Platt Carpenter, governor; John S. Tooker, secretary; Frank K. Armstrong, president of the council; James E. Callaway, speaker of the house.

Members of the Council: Martin Barrett,

Beaver Head county; Horace R. Buck, Choteau county; William H. Cotant, Custer county; Frederick L. Greene, Dawson and Yellowstone counties; Armistead H. Mitchell, Deer Lodge county; Frank K. Armstrong, Gallatin county; Edward Cardwell, Jefferson county; William A. Chessman, Lewis and Clark county; William W. Morris, Madison county; James Fergus, Meagher county; Will Kennedy, Missoula county; Stephen DeWolfe, Silver Bow county.

Members of the House: Jay Wells, Beaver Head county; James M. Page, Beaver Head and Madison counties; Jesse F. Taylor, Choteau county; S. F. Biddle and John M. Holt, Custer county; George R. Tingle, Dawson county; Conrad Kohrs and F. L. Perkins, Deer Lodge county; George R. Nichols, John M. Robinson and H. M. Sloan, Gallatin county; Van H. Fisk, Jefferson county; Albert J. Seligman, Jefferson and Lewis and Clark counties; J. Henry Jurgens and Benjamin F. Potts, Lewis and Clark county; James E. Callaway, Madison county; George M. Hatch and Perry J. Moore, Meagher county; Clyde Eastman and Martin L. Emich, Missoula county; John T. Baldwin, John F. Forbis and William O. Speer, Silver Bow county; William H. Norton, Yellowstone county.

Fifteenth Session. Held at Helena, the capital, January 10, 1887, to March 10, 1887. Samuel T. Hauser, governor; Preston H. Leslie, governor; William B. Webb, secretary; Richard O. Hickman, president of the council; Frank K. Armstrong, speaker of the house.

Members of the Council: George L. Bachelder, Beaver Head county; Timothy E. Collins, Choteau county; John J. Thompson, Custer county; James K. Pardee, Deer Lodge county; Ela C. Waters, Dawson and Yellowstone counties; Will H. Sutherlin, Fergus and Meagher counties; Samuel L. Holliday, Gallatin county; Edward Cardwell, Jefferson county; Richard O. Hickman, Madison county; Will Kennedy, Missoula county; William B. Hundley, Lewis and Clark county; John E. Richards, Silver Bow county.

Members of the House: Lawrence A. Brown, Beaver Head county; James M. Page, Beaver Head and Madison counties; Jesse F. Taylor, Choteau county; John M. Holt and E. H. Johnson, Custer county; Charles R. A. Scobey, Dawson county; John R. Toole and M. W. White, Deer Lodge county; James K. Kanouse and Jacob Titman, Fergus and Meagher counties; William W. Alderson, Frank K. Armstrong and Charles W. Hoffman, Gallatin county; Enoch Wilson, Jefferson county; John W. Buskett, Jefferson and Lewis and Clark counties; Thomas L. Gorham and William Muth, Lewis and Clark county; Henry N. Blake, Madison county; Thomas C. Marshall and Harrison Spaulding, Missoula county; Charles W. Hanscomb, Lee Mantle and William Thompson, Silver Bow county; Edgar N. Harwood, Yellowstone county.

Fifteenth Session. (Extraordinary.) Held at Helena, the capital, August 29, 1887, to September 14, 1887. Preston H. Leslie, governor; William B. Webb, secretary; Richard O. Hickman, president of the council; Frank K. Armstrong, speaker of the house.

Members of the Council: George L. Bachelder, Beaver Head county; Timothy E. Collins, Choteau county; Walter A. Burleigh, Custer county; Ela C. Waters, Dawson and Yellowstone counties; James K. Pardee, Deer Lodge county; Will H. Sutherland, Fergus and Meagher counties; Edward Cardwell, Jefferson county; Samuel L. Holliday, Gallatin county; William B. Hundley, Lewis and Clark county; Richard O. Hickman, Madison county; Will Kennedy, Missoula county; John E. Richards, Silver Bow county;

Members of the House: Lawrence A. Brown, Beaver Head county; James M. Page, Beaver Head and Madison counties; Jesse F. Taylor, Choteau county; John M. Holt and E. H. Johnson, Custer county; Charles R. A. Scobey, Dawson county; John R. Toole and M. W. White, Deer Lodge county; James E. Kanouse and Jacob Titman, Fergus and Meagher counties; William W. Alderson, Frank K. Armstrong and Charles W. Hoffman,

Gallatin county; Enoch Wilson, Jefferson county; John W. Buskett, Jefferson and Lewis and Clark counties; Thomas L. Gorham and William Muth, Lewis and Clark county; Henry N. Blake, Madison county; Thomas C. Marshall and Harrison Spaulding, Missoula county; Charles W. Hanscomb, Lee Mantle and William Thompson, Silver Bow county; Edgar N. Harwood, Yellowstone county.

Sixteenth Session. Held at Helena, the capital, January 14, 1889, to March 14, 1889. Preston H. Leslie, governor; Louis A. Walker, secretary; Charles K. Cole, president of the council; Lee Mantle, speaker of the house.

Members of the Council: Lawrence A. Brown, Beaver Head county; Charles R. Middleton, Custer county; William M. Thompson, Deer Lodge county; Will Kennedy, Jefferson county; Charles K. Cole, Lewis and Clark county; Loren B. Olds, Madison county; Walter M. Bickford, Missoula county; William Thompson, Silver Bow county; Jeremiah Collins, Cascade and Choteau counties; W. Ashby Conrad, Dawson and Yellowstone counties; George M. Hatch, Fergus and Park counties; Charles W. Hoffman, Gallatin and Meagher counties.

Members of the House: H. D. Pickman, Beaver Head county; E. H. Johnson and Loring B. Rea, Custer county; Henri J. Haskell, Dawson county; Charles D. Joslyn and Clinton H. Moore, Deer Lodge county; John D. Waite, Fergus county; Charles P. Blakely and William D. Flowers, Gallatin county; Samuel A. Swiggett, Jefferson county; Joseph Davis and Warren C. Gillette, Lewis and Clark county; J. R. Comfort, Madison county; J. E. Saxton, Meagher county; Carl T. Jones and S. G. Murray, Missoula county; George H. Carver, Park county; E. E. Congdon, William H. Roberts, and Lee Mantle, Silver Bow county; Frank S. Whitney, Yellowstone county; Ozias Willis, Beaver Head and Madison counties; E. C. Garrett, Cascade and Choteau counties; William H. Hunt, Lewis and Clark and Jefferson counties.

## CONSTITUTIONAL CONVENTIONS OF MONTANA

## Convention of 1866.

Held at Helena, April 9, 1866—April 14, 1866. Robert C. Ewing, president.

Members: Samuel W. Batchelder, C. R. Cooper, John Keyser, W. H. King, Richard McNeil and H. F. Wright, Beaver Head county; — Blakely, Reuben Borton, Fred H. Burr, Michael Holland, David L. Irvine, William L. Irvine, Alexander E. Mayhew and Washington J. McCormick, and James Stuart Deer Lodge county; Robert C. Ewing, John H. Shober, John A. Johnston, A. S. Maxwell, Robert B. Parrott, William Y. Pemberton, William L. Steele, Thomas E. Tutt, Elihu B. Waterbury, and Alexander M. Woolfolk, Edgerton county; J. D. Davidson, H. P. Downs, Andrew J. Hunter, A. Metcalf and W. B. Morris, Gallatin county; William G. Barclay, Thomas F. Bowler, W. F. Evans, John C. Gilman and O. F. Hart, Jefferson county; John Caplice, William M. Couch, Philip E. Evans, George W. Hill, William B. Napton, Jr., John H. Rogers, John F. Rucker, Thomas Thoroughman, George Wilhelm, Samuel Word, Madison county; John Pomeroy and Caleb E. Irvine, Missoula county.

## Convention of 1884.

Held at Helena, January 14, 1884—February 9, 1884. William A. Clark, president.

Members: Joseph A. Browne and Robert B. Smith, Beaver Head county; Timothy E. Collins, William H. Hunt and Thomas C. Power, Choteau county; Andrew F. Burleigh, Samuel R. Douglas, Charles W. Savage and William Van Gasken, Custer county; J. D. Mallory, Dawson county; Joaquin Abascal, James H. Mills, John C. Robinson and Elihu B. Waterbury, Deer Lodge county; Walter Cooper, George O. Eaton, Edward F. Ferris, Samuel W. Langhorne, Fellows D. Pease and Robert P. Vivion, Gallatin county; Edward McSorley and Nathaniel Merriman, Jefferson county; Matthew Carroll, Cornelius Hedges, William B. Hundley, George Steell, and Joseph K. Toole, Lewis and Clark county; James

E. Callaway and Horatio S. Howell, Madison county; James Fergus, William F. Hass and Joseph F. McClintock, Meagher county; John B. Catlin, Richard A. Eddy, Washington J. McCormick, William J. Stephens, Missoula county; William A. Clark, Marcus Daly, William W. Dixon, Francis W. Hastings Medhurst, Thomas L. Napton, William Y. Pemberton and John C. C. Thornton, Silver Bow county; Fred L. Greene and Francis M. Proctor, Yellowstone county;

## Convention of 1889.

Held at Helena, July 4, 1889—August 17, 1889. Constitution adopted August 17, 1889. Constitution ratified October 1, 1889. William A. Clark, president.

Members: Fielding L. Graves, Henry Knippenberg and Aaron C. Witter, Beaver Head county; David G. Browne, Charles E. Conrad, Samuel Mitchell, Choteau county; Walter A. Burleigh, Charles H. Loud, Charles R. Middleton, Custer county; Timothy E. Collins, Paris Gibson and Charles M. Webster, Cascade county; O. F. Goddard, Henri J. Haskell and Alfred Myers, Dawson and Yellowstone counties; John R. Toole, Henry R. Whitehill, George B. Winston, J. F. Brazelton, David M. Durfee, George J. Reek, Edward Burns, John C. Robinson and Conrad Kohrs, Deer Lodge county, S. S. Hobson, Perry W. McAdow, William H. Watson, Fergus county; Walter Cooper, Charles S. Hartman and Llewellyn A. Luce, Gallatin county; Edward Cardwell, Robert E. Hammond and Thomas Joyes, Jefferson county; Andrew J. Burns, Warren C. Gillette, William Mayger, B. Platt Carpenter, William A. Chessman, William Muth, Lewis H. Hershfield, Martin Maginnis, Joseph K. Toole, Alexander F. Burns, Milton Cauby and Arthur J. Craven, Lewis and Clark county; Simeon R. Buford, James E. Callaway, Richard O. Hickman, Madison county; J. E. Kanouse, William Parberry and Louis Rotwitt, Meagher county; Walter M. Bickford, Charles S. Marshall, William R. Ramsdell, Luke D. Hatch, William J. Kennedy and Joseph E. Marion, Missoula county;



George O. Eaton, William T. Field, and Allen R. Joy, Park county; Peter Breen, William Mason Bullard and J. E. Gaylord, Jefferson county; Hiram Knowles, John E. Rickards, George W. Stapleton, Joseph Hogan, Leopold F. Schmidt, Francis E. Sergeant, Edward D. Aiken, Thomas Courtenay, William Dyer, William A. Clark, William W. Dixon, and Charles S. Warren, Silver Bow county; William H. Todd, chief clerk; Jennie M. Merriman, assistant chief clerk; Samuel Alexander, sergeant at arms; Rev. H. E. Clowes, chaplain; Edward Kerr, clerk; E. Clarence Garrett, clerk; Lee Swords, clerk; John M. Trumbull, clerk; Henry Barnard, clerk; Eugene E. Dickerson, messenger; William Alexander, page; Cornelius Hedges, Jr., page; Maurice Langhorne, page.

#### DIRECTORY OF THE OFFICERS OF THE TERRITORY OF MONTANA.

##### GOVERNORS.

Sidney Edgerton, June 22, 1864; July 12, 1866.  
 Green Clay Smith, July 13, 1866; April 8, 1869.  
 James M. Ashley, April 9, 1869; July 12, 1870.  
 Benjamin F. Potts, July 13, 1870; Jan. 14, 1883.  
 J. Schuyler Crosby, Jan. 14, 1883; Dec. 15, 1884.  
 B. Platt Carpenter, Dec. 16, 1884; July 13, 1885.  
 Samuel T. Hauser, July 14, 1885; Feb. 7, 1887.  
 Preston H. Leslie, Feb. 8, 1887; Apr. 8, 1889.  
 Benjamin F. White, Apr. 9, 1889; Nov. 8, 1889.

##### SECRETARIES OF THE TERRITORY.

Thomas F. Meagher, Aug. 4, 1865; Mar. 27, 1867.  
 James Tufts, Mar. 28, 1867; Apr. 19, 1869.  
 Wiley S. Scribner, Apr. 20, 1869; July 18, 1870.

Add. H. Sanders, July 19, 1870; Jan. 20, 1871.

James E. Callaway, Jan. 21, 1871; May 9, 1877.

James H. Mills, May 10, 1877; May 31, 1882.

Isaac D. McCutcheon, June 1, 1882; Apr. 20, 1884.

John S. Tooker, Apr. 21, 1884; Oct. 22, 1885.

William B. Webb, Oct. 23, 1885; Apr. 14, 1889.

L. A. Walker, Apr. 15, 1889; Nov. 8, 1889.

##### TERRITORIAL AUDITORS.

John S. Lott, Feb. 8, 1865; Mar. 19, 1866.  
 John H. Ming, Mar. 20, 1866; Dec. 5, 1867.  
 William H. Rogers, Dec. 6, 1867; Feb. 11, 1874.  
 George Callaway, Feb. 12, 1874; Nov. 30, 1874.  
 Solomon Star, Dec. 1, 1874; Jan. 4, 1876.  
 D. H. Cuthbert, Feb. 22, 1876; Feb. 21, 1879.  
 Joseph P. Woolman, Feb. 22, 1879; Mar. 4, 1887.  
 James Sullivan, Mar. 5, 1887; Nov. 8, 1889.

##### TERRITORIAL TREASURERS.

John J. Hull, Feb. 8, 1865; Mar. 19, 1866.  
 John S. Rockfellow, Mar. 20, 1866; Dec. 11, 1867.  
 William G. Barkley, Dec. 12, 1867; July 19, 1871.  
 Richard O. Hickman, July 20, 1871; June 30, 1875.  
 D. H. Weston, July 1, 1875; Mar. 5, 1887.  
 William G. Preuitt, Mar. 5, 1887; Nov. 8, 1889.

##### SUPERINTENDENTS OF PUBLIC INSTRUCTION.

A. H. Barret, Sept. 8, 1865; Mar. 3, 1867.  
 A. M. S. Carpenter, Mar. 4, 1867; Jan. 4, 1868.  
 Thomas F. Campbell, Feb. 1, 1868; July 16, 1869.

Cornelius Hedges, Jan. 27, 1872; Jan. 15, 1878.

Clark Wright, Jan. 16, 1878; Feb. 18, 1879.

W. Egbert Smith, Feb. 19, 1879; Feb. 22, 1881.

R. H. Howey, Feb. 23, 1881; Feb. 21, 1883.

Cornelius Hedges, Feb. 23, 1883; Mar. 17, 1885.

William W. Wylie, Mar. 18, 1885; Mar. 11, 1887.

Arthur C. Logan, Mar. 12, 1887; Nov. 8, 1889.

#### ATTORNEY GENERALS.

William E. Cullen, Dec. 31, 1887; Mar. 24, 1889.

John B. Clayberg, Mar. 25, 1889; Nov. 8, 1889.

#### CHIEF JUSTICES.

Hezekiah L. Hosmer, June 30, 1864; July 18, 1868.

Henry L. Warren, July 18, 1868; Mar. 17, 1871.

Decius S. Wade, Mar. 17, 1871; May 2, 1887.

N. W. McConnell, May 2, 1887; Mar. 26, 1889.

Henry N. Blake, Mar. 26, 1889; Nov. 8, 1889.

#### ASSOCIATE JUSTICES.

Ammi Giddings, June 22, 1864; Mar. 11, 1865.

L. P. Williston, June 22, 1864; July 18, 1868.

Lyman E. Munson, Mar. 11, 1865; Apr. 5, 1869.

Hiram Knowles, July 18, 1868; July 1, 1879.

George G. Symes, Apr. 5, 1869; Jan. 27, 1871.

John L. Murphy, Jan. 27, 1871; Sept. 21, 1872.

Francis G. Servis, Sept. 21, 1872; Aug. 10, 1875.

Henry N. Blake, Aug. 10, 1875; Mar. 2, 1880.

William J. Galbraith, July 1, 1879; Jan. 28, 1888.

Everton J. Conger, Mar. 2, 1880; Feb. 19, 1884.

John Coburn, Feb. 19, 1884; Aug. 17, 1885.

Charles R. Pollard, Jan. 4, 1885; Aug. 6, 1886.

James H. McLeary, Aug. 6, 1886; Apr. 2, 1888.

Thomas C. Bach, Aug. 9, 1886; Nov. 8, 1889.

Stephen De Wolfe, Jan. 28, 1888; Nov. 8, 1889.

Moses J. Liddell, Apr. 2, 1888; Nov. 8, 1889.

#### UNITED STATES ATTORNEYS.

Edward B. Neally, June 29, 1864; Apr. 19, 1867.

Moses Veale, Apr. 20, 1867; July 10, 1868.

Alexander E. Mayhew, July 11, 1867; Apr. 21, 1879.

Henry N. Blake, Apr. 22, 1869; Mar. 2, 1871.

Cornelius Hedges, Mar. 3, 1871; May 16, 1872.

Merritt C. Page, May 17, 1872; May 13, 1877.

Robert S. Anderson, Nov. 5, 1877; July 15, 1879.

John W. Andrews, Jr., July 16, 1879; May 8, 1880.

James L. Dryden, June 22, 1880; Nov. 10, 1881.

Frank M. Eastman, Nov. 11, 1881; Mar. 1, 1883.

William H. DeWitt, Mar. 2, 1883; Sept. 5, 1885.

Robert B. Smith, Sept. 6, 1885; Mar. 27, 1889.

Elbert D. Weed, Mar. 28, 1889; Mar. 11, 1894.

#### UNITED STATES MARSHALS.

George M. Pinney, Feb. 20, 1865; Mar. 17, 1867.

Nell Howie, Mar. 18, 1867; May 11, 1869.

William F. Wheeler, May 15, 1869; Apr. 8, 1878.

Alexander C. Botkin, Apr. 9, 1878; June 30, 1885.

Robert S. Kelley, July 1, 1885; Mar. 31, 1889.

George W. Irvin, Apr. 1, 1889; June 30, 1890.

#### DELEGATES IN CONGRESS.

Samuel McLean, Oct. 24, 1864; Mar. 4, 1867.

James M. Cavanaugh, Mar. 4, 1867; Mar. 4, 1871.

William H. Claggett, Mar. 4, 1871; Mar. 4, 1873.

Martin Maginnis, Mar. 4, 1873; Mar. 4, 1885.

Joseph K. Toole, Mar. 4, 1885; Mar. 4, 1889.

Thomas H. Carter, Mar. 4, 1889; Nov. 8, 1889.

#### MEMBERS OF MONTANA STATE CONSTITUTIONAL CONVENTION.

Convened July 6th, adjourned August 18, 1889. Constitution adopted August 17, 1889. Ratified by the people October 1, 1889. Montana admitted to the Union November 8, 1889.

William A. Clark, president, E. D. Aiken, Walter M. Bickford, J. F. Brazelton, Peter Breen, David G. Brown, Simeon R. Buford, William Mason Bullard, Walter A. Burleigh, Alex F. Burns, Andrew J. Burns, Edward Burns, James E. Callaway, Edward Cardwell, B. Platt Carpenter, Milton Cauby, William A. Chessman, Timothy E. Collins, Charles E. Conrad, Walter Cooper, Thomas F. Courtney, Arthur J. Craven, W. W. Dixon, D. M. Durfee, William Dyer, George O. Eaton, William T. Field, J. E. Gaylord, Paris Gibson, Warren C. Gillette, O. F. Goddard, Fielding L. Graves, R. E. Hammond, Charles S. Hartman, Henri J. Haskell, Luke D. Hatch, Lewis H. Hershfield, Richard O. Hickman, S. S. Hobson, Joseph Hogan, Thomas Joyes, Allen R. Joy, J. E. Kanouse, W. J. Kennedy, H. Knippenberg, Hiram Knowles, Conrad Kohrs, C. H. Loud, Llewellyn A. Luce,

Martin Maginnis, J. E. Marion, Charles S. Marshall, William Mayger, P. W. McAdow, C. R. Middleton, Samuel Mitchell, William Muth, Alfred Myers, William Parberry, W. R. Ramsdell, G. J. Reek, John C. Robinson, L. Rotwitt, J. E. Rickards, Francis E. Sargeant, Leopold F. Schmidt, George W. Stapleton, William H. Todd, chief clerk; Joseph K. Toole, J. R. Toole, Charles S. Warren, William H. Watson, Charles M. Webster, H. R. Whitehill, George B. Winston, Aaron C. Witter.

#### MEMBERS AND OFFICERS OF THE LEGISLATIVE ASSEMBLIES OF THE STATE OF MONTANA.

First Session—Held at Helena, the capital, November 23, 1889, to February 20, 1890. Joseph K. Toole, governor; Louis Rotwitt, secretary of state; John E. Rickards, lieutenant governor and president of the senate; Aaron C. Witter, speaker, Republican house; Charles P. Blakely, speaker, Democratic house.

Senate—First district, Lawrence A. Brown, R., Beaverhead county; second district, Loren B. Olds, R., president pro tem., Madison county; third district, Charles W. Hoffman, D., Gallatin county; fourth district, Robert Fisher, R., Jefferson county; fifth district, William M. Thornton, D., Deer Lodge county; sixth district, M. E. Rutherford, R., Missoula county; seventh district, Cornelius Hedges, R., Lewis and Clark county; eighth district, Joseph A. Baker, R., Choteau county; ninth district, William Parberry, D., Meagher county; tenth district, Daniel J. Hennessy, D., Silver Bow county; eleventh district, R. G. Redd, D., Custer county; twelfth district, Albert L. Babcock, R., Yellowstone county; thirteenth district, William S. Becker, D., Dawson county; fourteenth district, Cornelius J. McNamara, D., Fergus county; fifteenth district, James E. Thompson, R., Park county; sixteenth district, Jerauld T. Armington, R., Cascade county.

House of Representatives (Republican)—Aaron C. Witter and Robert T. Wing, Beaver-



head county; Edwin D. Hastie and Charles Lockray, Cascade county; John M. Boardman and Samuel L. Mitchell, Choteau county; Charles H. Loud and Hugh H. Moran, Custer county; John W. Blair, Deer Lodge county, John D. Waite, Fergus county; David A. Cory, Anton M. Holter, John Horsky and Robert H. Howey, Lewis and Clark county; Fayette Harrington, Madison county; Edwin H. Goodman, Meagher county; A. S. Blake, Thomas L. Greenough, William B. Harlan and John T. Phillips, Missoula county; Charles H. Eaton and Charles H. Stebbins, Park county; Absalom F. Bray, Peter R. Dolman, Frank H. Hoffman, James H. Monteath, William H. Roberts and William Thompson, Silver Bow county; William H. Norton, Yellowstone county; Martin Newcomer, Cascade and Dawson counties (joint).

House of Representatives (Democratic)—Robert G. Humber, Charles M. Crutchfield, Charles K. Hardenbrook, Frank Hollywood, Silvan Hughes and John R. Toole, Deer Lodge county; John R. Barrows, Fergus county; Charles P. Blakely and David P. McElwee, Gallatin county; Peter Breen, George E. Pool and James C. Twohy, Jefferson county; Elizur Beach, Alexander F. Burns, Harry R. Comly, speaker pro tem., and William Wallace, Jr., Lewis and Clark county; Patrick Carney, Madison county; John A. Woodson, Meagher county; Frank G. Higgins, Missoula county; Joseph K. Clark, Thomas F. Courtney, A. M. Day, Alphonse M. Dusseault, Henry L. Frank, John W. Gilligan, Joseph Hogan, William J. Penrose and Leopold F. Schmidt, Silver Bow county; William C. Whaley, Gallatin and Jefferson counties (joint).

Second Session—Held at Helena, the capital, January 5, 1891, to March 5, 1891. Joseph K. Toole, governor; Louis Rotwitt, secretary of state; John E. Rickards, lieutenant governor and president of the senate; Harry R. Comly, speaker.

Senate—First district, Lawrence A. Brown, Beaverhead county; second district, Simeon R. Ruford, Madison county; third district,

Charles W. Hoffman, Gallatin county; fourth district, Edward Cardwell, Jefferson county; fifth district, William M. Thompson, president pro tem., Deer Lodge county; sixth district, Elmer D. Matts, Missoula county; seventh district, Cornelius Hedges, Lewis and Clark county; eighth district, John W. Power, Choteau county; ninth district, William Parberry, Meagher county; tenth district, Daniel J. Hennessey, Silver Bow county; eleventh district, R. G. Redd, Custer county; twelfth district, O. Fletcher Goddard, Yellowstone county; thirteenth district, William S. Becker, Dawson county; fourteenth district, Charles W. Bayliss, Fergus county; fifteenth district, James E. Thompson, Park county; sixteenth district, Paris Gibson, Cascade county.

House of Representatives—Robert T. Wing and Aaron C. Witter, Beaverhead county; Edwin D. Hastie and Charles Lockray, Cascade county; James M. Boardman and Samuel Mitchell, Choteau county; Charles H. Loud and Hugh H. Moran, Custer county; John W. Blair, Charles M. Crutchfield, Charles K. Hardenbrook, Frank Hollywood, Silvan Hughes, Robert C. Humber, speaker pro tem., and John R. Toole, Deer Lodge county; John R. Barrows and John D. Waite, Fergus county; Charles P. Blakely and David P. McElwee, Gallatin county; Peter Breen, George E. Pool and James C. Twohy, Jefferson county; Elizur Beach, Alexander F. Burns, Harry R. Comly, David A. Cory, Anton M. Holter, John Horsky, Robert H. Howey and William Wallace, Jr., Lewis and Clark county; Patrick Carney and Fayette Harrington, Madison county; Edwin H. Goodman and John A. Woodson, Meagher county; A. S. Blake, Thomas L. Greenough, William B. Harlan, Frank G. Higgins and John T. Phillips, Missoula county; Charles H. Eaton and Charles H. Stebbins, Park county; Joseph K. Clark, A. M. Day, Alphonse M. Dusseault, Frank H. Hoffman, James H. Penrose, William H. Roberts, Leopold F. Schmidt and William Thompson, Silver Bow county; William H. Norton, Yellowstone county; A. L. Kempland, Beaverhead and Deer Lodge counties (joint); Martin

Newcomer, Cascade and Dawson counties (joint); William C. Whaley, Gallatin and Jefferson counties (joint).

Third Session—Held at Helena, the capital, January 2, 1893, to March 2, 1893. John E. Rickards, governor; Louis Rotwitt, secretary of state; Alexander C. Botkin, lieutenant governor and president of the senate; Thomas Matthews, speaker.

Senate—First district, George M. Brown, Beaverhead county; second district, Simeon R. Ruford, Madison county; third district, Charles W. Hoffman, Gallatin county; fourth district, Edward Cardwell, Jefferson county; fifth district, Charles H. Eggleston, Deer Lodge county; sixth district, Elmer D. Matts, president pro tem., Missoula county; seventh district, William L. Steele, Lewis and Clark county; eighth district, John W. Power, Choteau county; ninth district, David E. Folsom, Meagher county; tenth district, William McDermott, Silver Bow county; eleventh district, Reno Swift, Custer county; twelfth district, O. Fletcher Goddard, Yellowstone county; thirteenth district, Thomas P. Cullen, Dawson county; fourteenth district, Charles W. Bayliss, Fergus county; fifteenth district, George M. Hatch, Park county; sixteenth district, Paris Gibson, Cascade county.

House of Representatives—J. E. Fleming and A. O. Rose, Beaverhead county; D. W. Beecher and Daniel J. Tallant, Cascade county; Thomas C. Burns and Eugene E. Leech, Choteau county; Louis A. Hoffman and John R. McKay, Custer county; Charles Bonner, Edward Burke, Thomas D. Fitzgerald, William A. Logue, James McDonel, Edward Scharnikow, John R. Walkup, George W. Ward, Deer Lodge county; Charles L. Coder and Clarence M. Goodell, Fergus county; James E. Martin and Arthur Truman, Gallatin county; William H. Lockhart, Benjamin Wahle and Harry E. G. Winter, Jefferson county; Thomas C. Bach, Charles H. Bray, Alexander Burrell, Stephen Carpenter, Anselm J. Davidson, Charles E. Dudley, Richard Lockey and James H. Murphy, Lewis and Clark county; J. B. Jeffers and Alexander Metzel, Madison county; N. E.

Benson and W. E. Tierney, Meagher county; Sidney H. Butler, Michael Gorman, Lyman Loring and Edward C. Smalley, Missoula county; Thomas S. Ash and Paul VanCleve, Park county; Joseph Annear, Absalom F. Bray, speaker pro tem., George C. Fischen, S. W. Graves, Thomas S. Kilgallon, David Lawrence, Thomas Matthews, James H. Monteath, Wilbra H. Swett and Frank K. Wilson, Silver Bow county; Albert L. Babcock, Yellowstone county; John B. Losee, Beaverhead and Deer Lodge counties (joint); Thomas H. Lewis, Cascade and Dawson counties (joint); Henry H. Sappington, Gallatin and Jefferson counties (joint).

Fourth Session—Held at Helena, the capital, January 7, 1895, to March 7, 1895. John E. Rickards, governor; Louis Rotwitt, secretary of state; Alexander C. Botkin, lieutenant governor and president of the senate; Wilbra H. Swett, speaker.

Senate—First district, George M. Brown, Beaverhead county; second district, Alexander Metzel, Madison county; third district, Charles W. Hoffman, Gallatin county; fourth district, George D. Greene, Jefferson county; fifth district, Charles H. Eggleston, Deer Lodge county; sixth district, William H. Smead, Missoula county; seventh district, William L. Steele, Lewis and Clark county; eighth district, John W. Power, Choteau county; ninth district, David E. Folsom, president pro tem., Meagher county; tenth district, Charles R. Leonard, Silver Bow county; eleventh district, Reno Swift, Custer county; twelfth district, Albert L. Babcock, Yellowstone county; thirteenth district, Thomas P. Cullen, Dawson county; fourteenth district, Edwin P. Chandler, Fergus county; fifteenth district, George M. Hatch, Park county; sixteenth district, Timothy W. Brosman, Cascade county; seventeenth district, William M. Sligh, Granite county; eighteenth district, William R. Ramsdell, Flathead county; nineteenth district, Oliver C. Cooper, Ravalli county; twentieth district, Charles S. Hurd, Valley county; twenty-first district, William K. Flowerree, Teton county.

House of Representatives—William A. Jones and Henry Knippenberg, Beaverhead county; William R. Glasscock, John A. Harris, John E. Reynolds and Daniel J. Tallant, Cascade county; Andrew H. Reser, Choteau county; S. Gordon and James S. Hopkins, Custer county; William Edwards, John B. Losee, Joseph Marshall and George Oker, Deer Lodge county; Wyllis A. Hedges, Fergus county; John J. Ryan, Flathead county; William J. Sparks, Fergus county; William W. Alderson, Walter Cooper, Thomas J. Lynde, Gallatin county; Willard Bennett and Richard T. Bombauer, Granite county; Charles J. Burkett, Albert L. Love and Harry E. G. Winters, Jefferson county; Charles K. Brown, Arthur J. Craven, Michael Corbett, John Horsky, John H. Huseby, Martin Mitchell, Joseph Oker and John H. Shober, Lewis and Clark county; N. J. Isdell and Henry D. Rassiter, Madison county; James T. Anderson and Archibald E. Spriggs, Meagher county; Elmer E. Hershey, A. Hollensteiner and John R. Latimer, Missoula county; William T. Collin, Allan R. Joy, speaker pro tem., and William F. Meyer, Park county; George T. Baggs and Joel J. Bond, Ravalli county; Edwin S. Booth, Edwin Bray, George A. Cook, Harry R. Cunningham, David Lawrence, Edwin H. Metcalf, James H. Monteath, Howard Paschal, James S. Shropshire, Wilbra H. Swett and Stephen Williams, Silver Bow county; John Kennedy, Teton county; Christian Yegen, Yellowstone county; Joseph C. Auld, Custer and Dawson counties (joint); William B. Rodgers, Deer Lodge and Missoula counties (joint); Rudolph Von Tobel, Fergus and Valley counties (joint).

Fifth Session—Held at Helena, the capital, January 4, 1897, to March 4, 1897. Robert B. Smith, governor; Thomas S. Hogan, secretary of state; A. E. Spriggs, lieutenant governor and president of the senate; J. M. Kennedy, speaker.

Senate—First district, Edwin Norris, Beaverhead county; second district, Alexander Metzel, Madison county; third district, Charles W. Hoffman, speaker pro tem., Gal-

latin county; fourth district, George D. Greene, Jefferson county; fifth district, Charles H. Eggleston, Deer Lodge county; sixth district, William H. Smead, Missoula county; seventh district, William C. Riddell, Lewis and Clark county; eighth district, John W. Power, Choteau county; ninth district, George G. Watt, Meagher county; tenth district, Charles R. Leonard, Silver Bow county; eleventh district, John R. McKay, Custer county; twelfth district, Albert L. Babcock, Yellowstone county; thirteenth district, Joseph C. Auld, Dawson county; fourteenth district, Edwin P. Chandler, Fergus county; fifteenth district, William H. Campbell, Park county; sixteenth district, Timothy W. Brosnan, Cascade county; seventeenth district, James M. Sligh, Granite county; eighteenth district, W. R. Rasmdell, Flathead county; nineteenth district, Oliver C. Cooper, Ravalli county; twentieth district, Charles S. Hurd, Valley county; twenty-first district, William K. Flowerree, Teton county; twenty-second district, William J. Hannah, Sweet Grass county; twenty-third district, Charles C. Bowlen, Carbon county.

House of Representatives—William H. Cochrane and David E. Metlin, Beaverhead county; James J. Hart, Carbon county; E. R. Carroll, Anthony Morton, George O'Mally, George H. Stanton and Charles F. Stork, Cascade county; George B. Bourne and Benjamin D. Phillips, Chouteau county; Joseph E. Brown and Harry W. McIntyre, Custer county; William Lindsay, Dawson county; Robert G. Humber, James M. Kennedy, James E. Marcum, Dennis Shovlin and O. Y. Warren, Deer Lodge county; Charles H. Perrine and Peter W. Watkins, Fergus county; Sidney H. Butler, J. C. Edwards and Fred Whitesides, Flathead county; W. Caldwell, Lyman J. Morgan, George L. Ramsey, Gallatin county; Israel Clem and Thomas Glina, Granite county; Martin Buckley, Marcus L. Hewett and Robert Whyte, Jefferson county; Charles D. Greenfield, H. Solomon Hepner, Samuel W. Langhorne, Albert I. Leob, speaker pro tem., James P. McCabe, James Owens and Lewis Penwell, Lewis and Clark county; William A. Clark,



William Owsley and Thomas L. Taylor, Madison county; E. J. Sanford and Charles A. Whipple, Meagher county; Robert Hill, Frank Longstaff, J. E. Power and William J. Stephens, Missoula county; George A. Bruffey and Andrew J. Campbell, Park county; William J. Kennedy and Edwin P. Woods, Ravalli county; George F. Bartlett, Martin Dee, Martin J. Elliott, William J. Evans, Martin D. Leehey, Patrick McMahon, John E. McNally, Samuel Mulville, Charles W. Newton, David P. O'Connor, William Shiffelbin, Eugene Sullivan and John N. Kelly, Silver Bow county; James E. Wamsley, Teton county; R. X. Lewis, Valley county; T. C. Armitage, Yellowstone county.

Sixth Session—Held at Helena, the capital, January 2, 1899, to March 2, 1899. Robert B. Smith, governor; Thomas S. Hogan, secretary of state; A. E. Spriggs, lieutenant governor and president of the senate; Henry C. Stiff, speaker.

Senate—First district, Edwin Norris, Beaverhead county; second district, William A. Clark, Madison county; third district, Charles W. Hoffman, Gallatin county; fourth district, David G. Warner, Jefferson county; fifth district, Charles H. Eggleston, Deer Lodge county; sixth district, Tyler Worden, Missoula county; seventh district, William C. Riddell, Lewis and Clark county; eighth district, Benjamin D. Phillips, Choteau county; ninth district, James T. Anderson, Meagher county; tenth district, Thomas F. Courtney, Silver Bow county; eleventh district, John R. McKay, Custer county; twelfth district, C. Oscar Gruwell, Yellowstone county; thirteenth district, Thomas P. Cullen, speaker pro tem., Dawson county; fourteenth district, Simeon S. Hobson, Fergus county; fifteenth district, William H. Campbell, Park county; sixteenth district, George H. Stanton, Cascade county; seventeenth district, Jerry Connolly, Granite county; eighteenth district, John H. Gelger, Flathead county; nineteenth district, Henry L. Meyers, Ravalli county; twentieth district, Archie W. Mahon, Valley county; twenty-first district, Samuel L. Mitchell, Teton county; twenty-second

district, William J. Hannah, Sweet Grass county; twenty-third district, Charles C. Bowlen, Carbon county; twenty-fourth district, William E. Tierney, Broadwater county.

House of Representatives—David E. Metlin and Goodwin T. Paul, Beaverhead county; William C. Eversole and Michael Shovlin, Broadwater county; J. H. Johnson, Carbon county; W. J. Bonner, Edwin H. Cooney, Robert Flynn, James H. Gillette and Patrick Kelly, Cascade county; John T. Moran and Richard M. Sands, Choteau county; G. F. Ingersoll and Hiram R. Marcyes, Custer county; William Lindsay, Dawson county; Charles Boylan, John Fitzpatrick, John M. Madden, Elmer D. Matts, John R. Toole and O. Y. Warren, Deer Lodge county; Wylis A. Hedges and Charles C. Long, Fergus county; Stephen A. Bywater, Henry H. Garr and A. L. Jacqueth, Flathead county; James E. Martin, John McLeod and John Walsh, Gallatin county; L. C. Parker, Philip G. Sullivan, Granite county; Henry M. Hill, William H. Lockhart and Patrick H. Luddy, Jefferson county; William G. Bennett, Edwin C. Day, William O. Hutchinson, Frederick W. Kuphal, Jesse I. Phelps, Henry H. Potting and William J. Sweeney, Lewis and Clark county; Benjamin J. Fine, Frederick L. Gibson and William O'Brien, Madison county; Powell Black and Edwin V. More, Meagher county; Henry W. McLaughlin, William J. Stephens, Henry C. Stiff and Arthur L. Stone, Missoula county; John M. Conrow and Thomas M. Swindlehurst, Park county; Charles M. Crutchfield and Edwin P. Woods, Ravalli county; M. J. Burke, Jere Clifford, Miles Finlin, Harry A. Gallway, Cornelius F. Kelly, Edwin M. Lamb, speaker pro tem., Joseph A. Lewis, P. W. Murray, Frank C. Normoyle, Guy W. Stapleton, Richard J. Watson and E. H. Wilson, Silver Bow county; William W. Beasley, Sweet Grass county; George W. Magee, Teton county; John L. Truscott, Valley county; John D. Losekamp, Yellowstone county.

Seventh Session—Held at Helena, the capital, January 7, 1901, to March 7, 1901. Joseph K. Toole, governor; George M. Hays, secre-

tary of state; Frank G. Higgins, lieutenant governor and president of the senate; Frank E. Corbett, speaker.

Senate—First district, James P. Murray, Beaverhead county; second district, William A. Clark, Madison county; third district, Charles W. Hoffman, Gallatin county; fourth district, David G. Warner, Jefferson county; fifth district, James M. Kennedy, Deer Lodge county; sixth district, Tyler Worden, Missoula county; seventh district, William M. Biggs, Lewis and Clark county; eighth district, Benjamin D. Phillips, Choteau county; ninth district, Elmer J. Anderson, Meagher county; tenth district, Thomas F. Courtney, Silver Bow county; eleventh district, Kenneth McLean, Custer county; twelfth district, C. Oscar Gruwell, Yellowstone county; thirteenth district, Thomas P. Cullen, Dawson county; fourteenth district, Simeon S. Hobson, Fergus county; fifteenth district, John M. Conrow, Park county; sixteenth district, George H. Stanton, president pro tem., Cascade county; seventeenth district, Jerry Connolly, Granite county; eighteenth district, John H. Geiger, Flathead county; nineteenth district, Henry L. Myers, Ravalli county; twentieth district, Archie W. Mahon, Valley county; twenty-first district, Samuel L. Mitchell, Teton county; twenty-second district, J. N. Kelley, Sweet Grass county; twenty-third district, William F. Meyer, Carbon county; twenty-fourth district, William E. Tierney, Broadwater county.

House of Representatives—Emerson Hill and David E. Metlin, Beaverhead county; Lloyd Cannon and A. B. Rosman, Broadwater county; Charles H. Gregory, Carbon county; Charles H. Connor, Samuel R. Jensen, Thomas F. Richardson, Robert P. Thoroughman and George R. Wood, Cascade county; George B. Bourne and Jesse W. Patterson, Choteau county; Edwin S. Becker and Charles D. Newberry, Custer county; George McCone, Dawson county; John Bielenberg, Michael Geary, John M. Madden, J. E. McDonnell, Thomas McTague and John R. Toole, Deer Lodge county; Wylis A. Hedges and Alexander B. Lehman, Fergus county; Leo H. Faust, W. G.

Fitzpatrick and B. J. McIntire, Flathead county; James B. Martin, W. C. Newton and William A. Roland, Gallatin county; Henry Lowney and Thomas F. Ward, Granite county; John Berkin, J. B. Brein and A. R. McDonald, Jefferson county; John Baker, speaker pro tem., Herbert L. Cram, Frank H. Donaldson, William J. Hartwig, Frederick S. Sanden, Timothy Sullivan and John H. Urquhart, Lewis and Clark county; E. S. Adkins, Benjamin J. Fine and George F. White, Madison county; Nathan Godfrey and Charles L. Murray, Meagher county; W. M. Crawford, Joseph M. Dixon, Edward Donlan and Thomas H. Pendergrass, Missoula county; Benjamin F. Meyers and Thomas M. Swindlehurst, Park county; George T. Baggs and Aaron Connor, Ravalli county; Frank B. Axtell, Frank E. Corbett, Martin D., Jr., Barney Ferry, M. P. Gilchrist, Thomas S. Kilgallon, Charles Lannin, John MacGinniss, John Meunier, Frank J. Pelletier, John J. Quinn and P. G. Sullivan, Silver Bow county; Robert Brownlee, Sweet Grass county; W. D. Jones, Teton county; Walter Shanley, Valley county; George C. Stull, Yellowstone county.

Eighth Session—Held at Helena, the capital, January 5, 1903 to March 5, 1903. Joseph K. Toole, governor; George M. Hays, secretary of state; Frank G. Higgins, lieutenant governor and president of the senate; Benjamin F. White, speaker.

Senate—First district, James P. Murray, Beaverhead county; second district, Jacob Albright, Madison county; third district, Charles Wheeler Hoffman, Gallatin county; fourth district, Henry Lloyd Sherlock, Jefferson county; fifth district, J. M. Kennedy, Deer Lodge county; sixth district, Edward Donlan, Missoula county; seventh district, Wesley M. Biggs, president pro tem., Lewis and Clark county; eighth district, George Blake Bourne, Choteau county; ninth district, Elmer J. Anderson, Meagher county; tenth district, Daniel Tewey, Silver Bow county; eleventh district, Kenneth McLean, Custer county; twelfth district, Christian Yegen, Yellowstone county; thirteenth district, Thomas Patrick Cullen,



Dawson county; fourteenth district, John David Waite, Fergus county; fifteenth district, John M. Conrow, Park county; sixteenth district, Fletcher Maddox, Cascade county; seventeenth district, George P. Durham, Granite county; eighteenth district, William James Brennan, Flathead county; nineteenth district, Edward Anderson Johnson, Ravalli county; twentieth district, Archibald W. Mahon, Valley county; twenty-first district, Samuel Franklin Ralston, Teton county; twenty-second district, William Frederick Meyer, Carbon county; twenty-third district, James N. Kelly, Sweet Grass county; twenty-fourth district, Charles A. Whipple, Broadwater county; Carston Conrad Kohrs, Powell county; James Skinner Hopkins, Rosebud county.

House of Representatives—Benjamin F. White and George Woodworth, Beaverhead county; Herbert Earle Johnson and David F. Williams, Broadwater county; John N. Tolman, Carbon county; Patrick Blair Buchanan, William Henry Harrison, Louis P. Pearson, Charles Albert Wilson and George Rodney Wood, Cascade county; Thomas Madison Everett and James Horton Rice, Choteau county; George W. Burt and Henry N. Sykes, Custer county; George McCone, Dawson county; William A. Allen, Leon Edward Beaudry, Frederick Gangner, John Morrissey, Timothy C. O'Keefe and Joseph H. Schwend, Deer Lodge county; David Hilger and Ernest W. King, Fergus county; Harvey S. Cannon, John Roland Hilman and John M. Noble, Flathead county; James E. Martin, Walter Henry Sales and Nelson Story, Jr., Gallatin county; Samuel Arthur and Henry William Lehson, Granite county; Timothy Driscoll Downey, John Flaherty and Duncan A. McDonald, Jefferson county; Charles H. Bray, Fred G. Benson, Oscar Monroe Lanstrum, Charles B. Miller, Louis Stadler, John Barnes Wilson, Charles Francis Word, Lewis and Clark county; Frank Bird Linderman, John H. Miles and Thomas Hilton Teal, Madison county; Harry Joseph Giltinan and Clarence P. Tooley, Meagher county; Reuben Dwight, Davis Graham, Charles Milton Owen and James Mad-

ison Self, Missoula county; Charles Summer Hefferlin and Thomas Martin Swindlehurst, Park county; Henry J. Faust, Powell county; Aaron Connor, speaker pro tem., and John Wesley Lancaster, Ravalli county; William Bray, Rosebud county; Frank B. Axtell, Charles W. Dempster, Lawrence Duggan, Robert William Farmer, Louis Linnemann, James Henry Lynch, Patrick Mullins, John MacGinniss, Fred J. Pelletier, Joseph Shannon, Guy W. Stapleton, William F. Whiteley, Silver Bow county; Robert Brownlee, Sweet Grass county; Jonathan E. Webb, Teton county; Harry A. Vagg, Valley county; Chauncey C. Bever, Yellowstone county.

Eighth Session (Extraordinary)—Held at Helena, the capital, May 26, 1903. Joseph K. Toole, governor; George M. Hays, secretary of state; Frank G. Higgins, lieutenant governor and president of the senate; Benjamin F. White, speaker.

Senate—First district, James P. Murray, president pro tem., Beaverhead county; second district, Jacob Albright, Madison county; third district, Charles Wheeler Hoffman, Gallatin county; fourth district, Henry Lloyd Sherlock, Jefferson county; fifth district, J. M. Kennedy, Deer Lodge county; sixth district, Edward Donlan, Missoula county; seventh district, Wesley M. Biggs, Lewis and Clark county; eighth district, George Blake Bourne, Choteau county; ninth district, Elmer J. Anderson, Meagher county; tenth district, Daniel Tewey, Silver Bow county; eleventh district, Kenneth McLean, Custer county; twelfth district, Christian Yegen, Yellowstone county; thirteenth district, Thomas Patrick Cullen, Dawson county; fourteenth district, John David Waite, Fergus county; fifteenth district, John M. Conrow, Park county; sixteenth district, Fletcher Maddox, Cascade county; seventeenth district, George P. Durham, Granite county; eighteenth district, William James Brennan, Flathead county; nineteenth district, Edward Anderson Johnson, Ravalli county; twentieth district, Archibald W. Mahon, Valley county; twenty-first district, Samuel Franklin Ralston, Teton county; twenty-second



ond district, William Frederick Meyer, Carbon county; twenty-third district, James W. Bailey, Sweet Grass county; twenty-fourth district, Charles A. Whipple, Broadwater county; Carston Conrad Kohrs, Powell county; James Skinner Hopkins, Rosebud county.

House of Representatives—Benjamin F. White and George Woodworth, Beaverhead county; Herbert Earle Johnson and David F. Williams, Broadwater county; John N. Tolman, Carbon county; Patrick Blair Buchanan, Louis J. Pearson, William Henry Harrison, Charles Albert Wilson and George Rodney Wood, Cascade county; Thomas Madison Everett and James Horton Rice, Choteau county; George W. Burt and Henry N. Sykes, Custer county; George McCone, Dawson county; William R. Allen, Leon Edward Beaudry, Frederick Gagner, John Morrissey, Timothy C. O'Keefe and Joseph H. Schwend, Deer Lodge county; David Hilger and Ernest W. King, Fergus county; Harvey S. Cannon, John Roland Hilman and John M. Noble, Flathead county; James E. Martin, Walter Henry Sales and Nelson Story, Jr., Gallatin county; Samuel Arthur and Henry William Leshon, Granite county; Timothy Driscoll Downey, John Flaherty and Duncan A. McDonald, Jefferson county; Charles H. Bray, Fred G. Benson, Oscar Monroe Lanstrum, Charles B. Miller, Louis Stadler, John Barnes Wilson, Charles Francis Word, Lewis and Clark county; Frank Bird Linderman, John H. Miles and Thomas Hilton Teal, Madison county; Harry Joseph Giltinan and Clarence P. Tooley, Meagher county; Reuben Dwight, Davis Graham, Charles Milton and James Madison, Missoula county; James Madison Self and Charles Summer Hefferlin, Park county; Henry J. Faust, Powell county; Aaron Conner, speaker pro tem, and John Wesley Lancaster, Ravalli county; William Bray, Rosebud county; Frank B. Axtell, Charles W. Dempster, Lawrence Duggan, Robert William Farmer, Louis Lieneemann, James Henry Lynch, Patrick Mullins, John MacGinniss, Fred J. Pelletier, Joseph Shannon, Guy W. Stapleton and William F.

Whiteley, Silver Bow county; Robert Brownlee, Sweet Grass county; Jonathan F. Webb, Teton county; Harry A. Vagg, Valley county; Chauncey C. Bever, Yellowstone county.

Ninth Session—Held at Helena, the capital, January 2, 1905, to March 2, 1905. Joseph K. Toole, governor; Edwin Norris, lieutenant governor and president of the senate; Wyliss A. Hedges, speaker.

Senate—Jacob Albright, R., Madison county; Maurice Bentall, R., Rosebud county; John N. W. Bielenberg, R., Powell county; George Blake Bourne, R., Choteau county; William James Brennan, R., Flathead county; Edward Donlan, R., Missoula county; George P. Durham, D., Granite county; Samuel Hurd Glidden, D., Carbon county; William W. Harper, R., Deer Lodge county; Edward A. Johnson, D., Ravalli county; Fletcher Maddox, R., Cascade county; Archibald W. Mahon, D., Valley county; Charles H. Martien, D., Lewis and Clark county; Arthur Wellington Miles, R., Park county; Jerre C. McCarthy, D., Gallatin county; George McCone, R., Dawson county; Charles McDonnell, R., Sweet Grass county; Kenneth McLean, R., Custer county; Samuel Franklin Ralston, D., Teton county; Henry Lloyd Sherlock, D., Jefferson county; Daniel Tewey, D., Silver Bow county; Clarence P. Tooley, R., Meagher county; John David Waite, R., Fergus county; Charles Amos Whipple, Sr., D., Broadwater county; Benjamin F. White, R., Beaverhead county; Christian Yegen, R., Yellowstone county.

House of Representatives—B. F. Bambrick, D., Broadwater county; Alden J. Bennett, R., Madison county; William West Berry, D., Lewis and Clark county; Harold Niles Blake, R., Deer Lodge county; Edwin Van Blankenship, D., Gallatin county; George W. Brewster, R., Rosebud county; Orin Pierce Brigham, R., Choteau county; Amos Buck, R., Ravalli county; George W. Burt, R., Custer county; Harry N. Canoll, R., Deer Lodge county; Charles E. Carriher, L., Lewis and Clark county; Edward H. Christian, R., Missoula county; John A. Coleman, D., Silver Bow county; Parie O. Collier, D., Flathead county;

John F. Cone, R., Ravalli county; Alpheus Decker, R., Beaverhead county; Charles William Dempster, L., Silver Bow county; Gus B. English, R., Deer Lodge county; Thomas Madison Everett, R., Choteau county; Charles E. Fairbanks, R., Missoula county; Benjamin O. Forsythe, R., Sweet Grass county; Charles L. Geyman, L., Silver Bow county; Daniel Harrington, D., Deer Lodge county; John Hayes, D., Cascade county; Wyllys Anderson Hedges, R., Fergus county; Marcus L. Hewett, R., Jefferson county; John Roland Hilman, R., Flathead county; E. Huntington, D., Carbon county; William M. Johnston, D., Yellowstone county; Jacob M. Kennedy, D., Silver Bow county; Charles Lannin, L., Silver Bow county; Oscar Monroe Lanstrum, R., Lewis and Clark county; A. P. Leiper, R., Dawson county; Frank Bird Linderman, R., Madison county; George Metcalf, R., Granite county; Joseph Meunier, D., Silver Bow county; Edward Camillus Mulroney, R., Missoula county; Daniel P. Mumbrue, R., Meagher county; Charlie Livingston Murray, R., Cascade county; John S. Murphy, L., Silver Bow county; Alexander D. McDonald, D., Flathead county; John MacGinniss, Anti-Tr. D., Silver Bow county; Sylvester O'Brien, Silver Bow county; John E. O'Connor, D., Broadwater county; T. M. Patten, R., Valley county; Samuel E. Potter, R., Teton county; John R. Quigley, Jr., D., Powell county; William A. Reel, D., Madison county; T. Wesley Richardson, Jr., R., Lewis and Clark county; Dennis R. Roach, D., Deer Lodge county; J. F. Roll, R., Gallatin county; Samuel M. Ross, R., Missoula county; Walter Henry Sales, R., Gallatin county; Fred S. Sanden, L., Lewis and Clark county; James Sanders, R., Cascade county; James Samuel Schoonover, D., Granite county; Earnest Owens Selway, R., Beaverhead county; Jonathan Sewell, R., Deer Lodge county; Joseph Shannon, L., Silver Bow county; Emil Starz, D., Lewis and Clark county; Melyer Stevens, R., Meagher county; D. J. Sullivan, D., Jefferson county; Timothy D. Sullivan, D., Lewis and Clark county; Henry N. Sykes, R., Custer county;

Angus Teskey, D., Jefferson county; Lewis Henry Vandyck, R., Park county; Thomas J. Walker, Anti-Tr. D., Silver Bow county; George J. Wiedman, R., Fergus county; William Henry Williams, R., Park county; Charles Albert Wilson, R., Cascade county; George Rodney Wood, D., Cascade county; John Sidney Wyman, D., Silver Bow county.

Tenth Session—Held at Helena, the capital, January 7, 1907, to March 7, 1907. Joseph K. Toole, governor; Edwin Norris, lieutenant governor and president of the senate; E. W. King, speaker of the house; A. N. Yoder, secretary of state.

Senate—Jacob Albright, R., Madison county; J. B. Annin, R., Yellowstone county; J. Bielenberg, R., Powell county; Edward Cardwell, D., Jefferson county; William Cowgill, R., Teton county; Ed. Donlan, R., Missoula county; J. E. Edwards, R., Rosebud county; T. M. Everett, R., Chouteau county; Charles E. Fairbanks, R., Sanders county; Samuel Glidden, D., Carbon county; W. W. Harper, R., Deer Lodge county; W. H. Haviland, D., Silver Bow county; T. D. Long, D., Flathead county; Charles Martin, D., Lewis and Clark county; George Metcalf, R., Granite county; A. W. Miles, R., Park county; C. S. Muffly, D., Broadwater county; J. C. McCarthy, D., Gallatin county; George McCone, R., Dawson county; Charles McDonnell, R., Sweet Grass county; Kenneth McLean, R., Custer county; H. M. Rae, R., Fergus county; Miles Romney, D., Ravalli county; James Sanders, R., Cascade county; Clarence Tooley, R., Meagher county; J. L. Truscott, D., Valley county; B. F. White, R., Beaverhead county.

House of Representatives—W. R. Allen, R., Deer Lodge county; G. H. Barbour, R., Lewis and Clark county; A. Beckwith, R., Ravalli county; A. J. Bennet, R., Madison county; T. J. Bennetts, R., Silver Bow county; H. N. Blake, R., Deer Lodge county; John Blewett, D., Carbon county; B. J. Boorman, R., Flathead county; G. W. Brewster, R., Rosebud county; Robert Brownlee, R., Sweet Grass county; Ed. Burke, D., Deer Lodge county; Don Campbell, R., Silver Bow county; A. A.

Cameron, R., Gallatin county; O. C. Cato, D., Custer county; J. Corby, R., Silver Bow county; William Cluston, D., Cascade county; T. A. Cummings, R., Chouteau county; J. Cutler, R., Silver Bow county; Alf Decker, R., Beaverhead county; M. M. Duncan, R., Madison county; G. B. English, R., Deer Lodge county; J. H. Farmer, R., Lewis and Clark county; R. F. Fisher, D., Deer Lodge county; P. H. Gerber, R., Missoula county; O. S. Goff, R., Chouteau county; A. C. Greene, R., Fergus county; A. H. Gray, R., Cascade county; P. H. Griffin, R., Powell county; Eugene Harbordt, R., Cascade county; G. W. Hardin, R., Meagher county; Gus H. Hess, R., Silver Bow county; A. Hyndman, R., Madison county; E. W. King, R., Gallatin county; E. D. Kirwan, D., Cascade county; Walter W. Kroger, R., Granite county; I. A. Leighton, R., Jefferson county; E. A. Logan, R., Flathead county; F. Longstaff, D., Deer Lodge county; P. H. Manchester, R., Silver Bow county; T. C. Marshall, R., Missoula county; D. C. Maxwell, R., Dawson county; C. A. Miles, D., Ravalli county; C. B. Miller, R., Lewis and Clark county; H. J. Miller, R., Park county; W. E. Moore, R., Granite county; F. C. Morgan, R., Missoula county; A. A. Morris, R., Yellowstone county; G. C. McDonald, R., Silver Bow county; J. F. McManus, R., Silver Bow county; A. Macaulay, R., Silver Bow county; J. E. O'Connor, D., Broadwater county; T. M. Patten, R., Valley county; S. L. Potter, R., Teton county; R. E. Powers, D., Silver Bow county; Moses Root, R., Lewis and Clark county; S. Ross, R., Missoula county; William Scallon, R., Silver Bow county; Henry Seidler, R., Cascade county; E. O. Selway, R., Beaverhead county; Leon Shaw, R., Lewis and Clark county; J. J. Sherman, D., Meagher county; T. M. Swindlehurst, D., Park county; E. J. Thompson, R., Sanders county; Rufus Thompson, R., Fergus county; C. B. Towers, R., Custer county; W. A. Tudor, R., Gallatin county; L. A. Walker, R., Silver Bow county; F. R. Warren, D., Jefferson county; E. D. Weed, R., and John Wendel, R., Lewis and Clark county; Fred Whiteside, D.,

Flathead county; C. A. Wilder, D., Broadwater county; V. E. Wilham, D., Jefferson county.

Eleventh Session—Held at Helena, the capital, January 4, 1909, to March 4, 1909. Edwin L. Norris, governor; W. R. Allen, lieutenant governor and president of the senate; A. N. Yoder, secretary of state; W. W. McDowell, speaker of the house.

Senate—Jacob Albright, R., Madison county; J. B. Annin, R., Yellowstone county; Edward Cardwell, D., Jefferson county; W. M. Cockrell, D., Powell county; John M. Conrow, D., Park county; William Cowgill, R., Teton county; Patrick J. Daly, D., Deer Lodge county; Edward **Donlan, R.**, Missoula county; J. E. Edwards, R., Rosebud county; T. M. Everett, R., Chouteau county; C. E. Fairbanks, R., Sanders county; W. H. Haviland, D., Silver Bow county; Charles N. Kessler, R., Lewis and Clark county; Thomas D. Long, D., Flathead county; George Metcalf, R., Granite county; W. F. Meyer, R., Carbon county; Charles F. Muffley, D., Broadwater county; J. C. McCarthy, D., Gallatin county; George McCone, R., Dawson county; Charles McDonnell, R., Sweet Grass county; H. M. Rae, R., Fergus county; Miles Romney, D., Ravalli county; James Sanders, R., Cascade county; E. O. Selway, R., Beaverhead county; Harrison N. Sykes, R., Custer county; C. P. Tooley, R., Meagher county; J. L. Truscott, D., Valley county.

House of Representatives—W. J. Allen, D., Deer Lodge county; Frank C. Arnett, R., Valley county; D. D. Bogart, R., Missoula county; George W. Brewster, R., Rosebud county; John Berkin, D., Silver Bow county; Ed. Burke, D., Deer Lodge county; Albert Butzerin, R., Missoula county; Owen Byrnes, D., Lewis and Clark county; L. J. Christler, D., Chouteau county; H. L. Clayberg, D., Lewis and Clark county; William Cluston, D., Cascade county; A. B. Colt, R., Sweet Grass county; Frank B. Connelly, R., Yellowstone county; Samuel J. Crouch, D., Broadwater county; Chas. M. Crutchfield, D., Ravalli county; Hugh T. Cummings, R., Granite



county; T. A. Cummings, R., Chouteau county; Chas. A. Derry, R., Missoula county; P. F. Dowling, D., Jefferson county; M. M. Duncan, D., Madison county; John Edgerton, R., Lewis and Clark county; Frank Eliel, R., Beaverhead county; W. T. Elliott, D., Powell county; H. A. Frank, D., Silver Bow county; J. D. Garber, D., Sanders county; Fred L. Gibson, R., Park county; Henry Giovenetti, D., Silver Bow county; A. H. Gray, R., Cascade county; H. Clay Groff, D., Ravalli county; Harry Hall, R., Lewis and Clark county; J. S. Hammond, D., Silver Bow county; T. J. Hanifen, D., Granite county; John Hayes, D., Cascade county; James Harbert, R., Flathead county; James Hunter, R., Custer county; E. M. Hutchinson, R., Flathead county; Martin Jacobson, R., Teton county; S. R. Kelsey, R., Custer county; T. S. Kilgallon, D., and James King, D., Silver Bow county; E. C. Largey, D., Silver Bow county; Carl Lehrkind, D., Park county; Pat Lowney, D., Silver Bow county; D. C. Maxwell, R., Dawson county; Frank S. Metzel, R., Madison county; Harold G. Mitchell, D., Deer Lodge county; J. T. Murray, R., Beaverhead county; W. W. McDowell, D., and John MacGinniss, D., Silver Bow county; C. E. McCoy, D., Gallatin county; T. J. Norton and Neil O'Donnell, D., Silver Bow county; E. J. Owenhouse, D., Gallatin county; George W. Pierson, D., Carbon county; H. C. Pomeroy, R., Flathead county; Joseph S. Roy, D., Deer Lodge county; George R. Safley, R., Gallatin county; S. A. Shaw, R., Meagher county; J. A. Shoemaker, R., Lewis and Clark county; Dr. D. W. Smith, R., Fergus county; Rufus B. Thompson, R., Fergus county; William E. Ward, D., Cascade county; C. L. Swick, R., Deer Lodge county; Fred R. Warren, D., Jefferson county; William C. Whaley, D., Broadwater county; J. A. Werner, R., Lewis and Clark county; Harrie W. White, R., Deer Lodge county; V. E. Wilham, D., Jefferson county; M. A. Witmer, R., Lewis and Clark county; James T. Wood, R., Meagher county; Frank Woody, D., Missoula county.

Twelfth Session—Held at Helena, the capi-

tal, January 2, 1911, to March 2, 1911. Edwin L. Norris, governor; W. R. Allen, lieutenant-governor and president of the senate; W. W. McDowell, speaker of the house; A. N. Yoder, secretary of state.

Senate—J. M. Burlingame, R., Cascade county; W. E. Christopher, R., Sanders county; Moncure Cockrell, D., Powell county; John M. Conrow, D., Park county; Allen R. Dearborn, D., Granite county; Edward Donlan, R., Missoula county; M. M. Duncan, D., Madison county; W. H. Dunnigan, R., Deer Lodge county; John E. Edwards, R., Rosebud county; T. M. Everett, R., Chouteau county; Harry Gallway, D., Silver Bow county; W. B. George, D., Yellowstone county; H. C. Groff, D., Ravalli county; C. N. Kessler, R., Lewis and Clark county; T. O. Larson, R., Teton county; James E. Leary, D., Lincoln county; Dr. I. A. Leighton, R., Jefferson county; J. C. McCarthy, D., Gallatin county; George McCone, R., Dawson county; Charles McDonnell, R., Sweet Grass county; W. F. Meyer, R., Carbon county; C. S. Muffy, D., Broadwater county; E. O. Selway, R., Beaverhead county; Thomas Stout, D., Fergus county; John Survant, R., Valley county; H. N. Sykes, R., Custer county; C. P. Tooley, R., Meagher county; Fred Whiteside, D., Flathead county.

House of Representatives—Roy S. Alley, D., Silver Bow county; J. L. Asbridge, D., Fergus county; John Baker, D., Lewis and Clark county; C. S. Bell, R., Yellowstone county; P. N. Bernard, R., Lincoln county; W. W. Berry, D., Missoula county; Joseph Binnard, D., Silver Bow county; Dr. G. E. Blackburn, D., Silver Bow county; Harold N. Blake, R., Deer Lodge county; S. O'N. C. Brady, D., Park county; George W. Burt, R., Custer county; Owen Byrnes, D., Lewis and Clark county; S. J. Crouch, D., Broadwater county; J. L. Dobell, D., Silver Bow county; D. J. Donohue, D., Dawson county; James C. Duffy, D., Granite county; P. J. Duffy, D., Silver Bow county; Napoleon Ebert, S., Park county; Frank Eliel, R., Beaverhead county; G. B. English, R., Deer Lodge county; P. C.

Gillis, D., Silver Bow county; Frank L. Gray, R., Flathead county; G. H. Grubb, R., Flathead county; John Hayes, D., Cascade county; F. D. Herbold, D., Rosebud county; M. L. Hewett, R., Jefferson county; John Hickey, R., Granite county; Ronald Higgins, R., Missoula county; R. K. Holt, R., Cascade county; Albert L. Holter, R., Lewis and Clark county; Martin Jacobson, R., Teton county; George W. Johnson, D., Ravalli county; Tom A. Johnson, D., Lewis and Clark county; Dr. Arthur, R., Madison county; Charles Kammerer, D., Madison county; Joseph Kirschwing, D., Cascade county; B. B. Law, D., Gallatin county; James Lissner, D., Lewis and Clark county; Dr. A. D. McDonald, D., Flathead county; W. W. McDowell, D., Silver Bow county; W. E. McMurry, D., Ravalli county; J. E. McNally, D., Silver Bow county; I. S. McQuitty, D., Meagher county; W. L. Martin, D., Sweet Grass county; P. J. Moore, D., Silver Bow county; R. J. Moore, R., Valley county; T. J. Murray, R., Beaverhead county; F. E. Nelson, R., Jefferson county; C. B. Nolan, D., Lewis and Clark county; E. F. O'Flynn, D., Silver Bow county; Daniel L. O'Hern, D., Missoula county; E. J. Owenhouse, D., Gallatin county; W. J. Paul, R., Powell county; W. A. Ralston, R., Deer Lodge county; W. A. Reel, D., Madison county; A. H. Reser, R., Chouteau county; J. W. Roberts, R., Cascade county; H. W. Rodgers, R., Deer Lodge county; Theodore Sarter, R., Meagher county; Henry F. Schwartz, Jr., R., Chouteau county; D. W. Slayton, R., Fergus county; Harry R. Stevens, R., Silver Bow county; Helson Story, Jr., R., Gallatin county; C. L. Swick, R., Deer Lodge county; W. D. Terrett, D., Custer county; John N. Tolman, R., Carbon county; S. F. Tuttle, D., Jefferson county; Harry J. Vaughan, R., Sanders county; W. C. Whaley, D., Broadwater county; B. K. Wheeler, D., Silver Bow county; E. A. Wheeler, D., Cascade county; Henry Williams, R., Deer Lodge county; Frank Woody, D., Missoula county; Lee R. Word, D., Lewis and Clark county.

Thirteenth Session—Held at Helena, the

capital, January 6, 1912, to March 7, 1913. Samuel V. Stewart, governor; W. W. McDowell, lieutenant-governor and president of the senate; A. D. MacDonald, speaker of the house; A. M. Alderson, secretary of state.

Senate—P. M. Abbott, D., Gallatin county; J. L. Asbridge, D., Musselshell; J. M. Boardman, Pro., Dawson; R. Brownlee, R., Sweet Grass; J. M. Burlingame, R., Cascade; Owen Byrnes, D., Lewis and Clark; O. C. Cato, D., Custer; W. E. Christopher, R., Sanders; J. M. Darroch, D., Park; A. R. Dearborn, D., Granite; Edward Donlan R., Missoula; M. M. Duncan, D., Madison; J. E. Edwards, R., Rosebud; Harry Gallway, D., Silver Bow; W. B. George, D., Yellowstone; A. C. Grande, R., Meagher; H. C. Groff, D., Ravalli; T. O. Larson, R., Teton; J. E. Leary, D., Lincoln; I. A. Leighton, R., Jefferson; D. S. McKenzie, R., Hill; J. M. Minor, D., Deer Lodge; Charles Muffley, D., Broadwater; D. G. O'Shea, D., Carbon; E. O. Selway, R., Beaverhead; G. H. Stevens, R., Chouteau; Thomas Stout, D., Fergus; John Survant, R., Valley; L. B. Taylor, Pro., Blaine; Fred Whiteside, D., Flathead; C. H. Williams, R., Powell.

House of Representatives—J. B. Annin, Pro., Yellowstone county; G. A. Blair, Pro., Ravalli; J. W. Blair, R., Powell; H. N. Blake, R., Deer Lodge; A. J. Brower, R., Missoula; Harvey Burnett, D., Fergus; James Burns, D., Cascade; E. B. Camp, R., Yellowstone; F. A. Carnal, Pro., Hill; C. P. Carroll, D., Granite; William Chrisman, D., Carbon; T. L. Clark, D., Teton; G. W. Clay, R., Valley; John Collins, Pro., Blaine; C. H. Connor, Socialist, Lincoln; R. T. Cookingham, Pro., Valley; M. W. Cramer, Pro., Yellowstone; H. C. Crippen, Pro., Yellowstone; E. J. Crull, R., Musselshell; William Cutts, D., Silver Bow; John Davidson, Pro., Rosebud; J. A. Davis, Pro., Valley; E. C. Day, D., Lewis and Clark; Jeff Doggett, R., Broadwater; C. A. Drinkard, D., Fergus; M. Durkan, D., Cascade; Frank Eliel, R., Beaverhead; H. Ellingson, R., Carbon; Mark Ezekiels, D., Silver Bow; L. M. Fishbaugh, D., Chouteau; H. Fisher, D., Lewis and Clark; J. Q. Gleason, D., Silver Bow;

L. D. Glenn, R., Meagher; M. Gould, D., Madison; J. M. Graybeal, D., Gallatin; W. E. Harmon, R., Gallatin; J. B. Henley, Pro., Missoula; Ronald Higgins, R., Missoula; Elmer Holt, D., Custer; W. H. Hough, R., Carbon; John Huddleston, D., Silver Bow; W. D. Hustead, D., Madison; J. Jahreiss, D., Silver Bow; J. J. Jewell, D., Fergus; R. R. Johnson, D., Deer Lodge; A. L. Jordan, Pro., Flathead; E. E. Jordan, Pro., Dawson; W. H. Kelly, D., Custer; W. D. Kemmiss, Pro., Dawson; John Kiley, D., Silver Bow; W. R. King, R., Chouteau; J. Kirschwing, D., Cascade; F. W. Kuphal, D., Missoula; E. Creighton Largey, D., Silver Bow; C. A. Lemon, D., Deer Lodge; J. A. Lovelace, D., Park; C. F. McClung, D., Park; W. J. McMahon, D., Silver Bow; J. E. McNally, D., Silver Bow; A. D. MacDonald, D., Flathead; Charles MacRae, Pro., Ravalli; D. F. Mains, R., Teton; H. T. Mayfield, Pro., Flathead; J. P. Meadors, R., Dawson; D. Murphy, D., Silver Bow; F. C. Murray, D., Cascade; T. J. Norton, D., Silver Bow; W. N. Nye, R., Sweet Grass; F. D. O'Neill, D., Custer; I. J. Phillips, D., Fergus; Joseph Pope, Pro., Yellowstone; W. C. Poulsson, R., Chouteau; C. Prescott, D., Missoula; W. B. Rhoades, D., Flathead; W. Rowe, R., Chouteau; A. R. Sickler, D., Rosebud; H. F. Smith, D., Lewis and Clark; D. Spogen, D., Cascade; H. M. Stewart, D., Gallatin; M. J. Sullivan, D., Jefferson; E. A. Sweet, D., Sanders; W. J. Tighe, R., Cascade; Frank E. Walker, D., Silver Bow; W. F. Word, D., Lewis and Clark; L. Working, R., Lewis and Clark.

Four political parties were represented in this session: D—Democratic; R—Republican; Pro.—Progressive; and S—Socialist, as indicated above.

#### DIRECTORY OF OFFICERS AND MEMBERS OF CONGRESS OF THE STATE OF MONTANA.

##### Governors.

Joseph K. Toole, November 8, 1889, to January 2, 1893.

John E. Rickards, January 2, 1893, to January 4, 1897.

Robert B. Smith, January 4, 1897, to January 7, 1901.

Joseph K. Toole, January 7, 1901, to January 2, 1905.

Joseph K. Toole, January 2, 1905, to April 1, 1908. (Governor Toole resigned on this date.)

Edwin L. Norris, April 1, 1908, to January 4, 1909.

Edwin L. Norris, January 4, 1909, to January 6, 1913.

Samuel V. Stewart, January 6, 1913, to January, 1917.

##### Lieutenant-Governors.

John E. Rickards, November 8, 1889, to January 2, 1893.

Alexander C. Botkin, January 2, 1893, to January 4, 1897.

A. E. Spriggs, January 4, 1897, to January 7, 1901.

Frank G. Higgins, January 7, 1901, to January 2, 1905.

Edwin L. Norris, January 2, 1905, to January 4, 1909.

William R. Allen, January 4, 1909, to January 6, 1913.

William W. McDowell, January 6, 1913, to January, 1917.

##### Secretaries of State.

Louis Rotwitt, November 8, 1889, to January 2, 1893.

Louis Rotwitt, January 2, 1893, to January 4, 1897.

T. S. Hogan, January 4, 1897, to January 7, 1901.

G. M. Hays, January 7, 1901, to January 2, 1905.

A. N. Yoder, January 2, 1905, to August 6, 1911. (Died in office.)

T. M. Swindelhurst, August 26, 1911, to January 6, 1913.

A. M. Alderson, January 6, 1913, to January, 1917.

##### State Auditors.

E. A. Kenney, November 8, 1889, to January 2, 1893.



A. B. Cook, January 2, 1893, to January 4, 1897.

T. W. Poindexter, January 4, 1897, to January 7, 1901.

J. H. Calderhead, January 7, 1901, to January 2, 1905.

Harry Cunningham, January 2, 1905, to January 4, 1909.

Harry Cunningham, January 4, 1909, to December 14, 1911. (Resigned this date.)

Charles M. McCoy, December 15, 1911, to January 6, 1913.

William Keating, January 6, 1913, to January, 1917.

#### State Treasurers.

R. O. Hickman, November 8, 1889, to January 2, 1893.

F. W. Wright, January 2, 1893, to January 4, 1897.

T. E. Collins, January 4, 1897, to January 7, 1901.

A. H. Barret, January 7, 1901, to January 2, 1905.

J. H. Rice, January 2, 1905, to January 4, 1909.

E. E. Esselstyne, January 4, 1909, to January 6, 1913.

W. C. Rae, January 6, 1913, to January, 1917.

#### Superintendents of Public Instruction.

John Gannon, November 8, 1889, to January 2, 1893.

Eugene A. Steere, January 2, 1893, to January 4, 1897.

E. A. Carleton, January 4, 1897, to January 7, 1901.

W. W. Welch, January 7, 1901, to January 2, 1905.

W. E. Harmon, January 2, 1905, to January 4, 1909.

W. E. Harmon, January 4, 1909, to January 6, 1913.

H. A. Davee, January 6, 1913, to January, 1917.

#### Attorney-Generals.

Henri J. Haskell, November 8, 1889, to January 2, 1893.

Henri J. Haskell, January 2, 1893, to January 4, 1897.

C. B. Nolan, January 4, 1897, to January 7, 1901.

James Donovan, January 7, 1901, to January 2, 1905.

A. J. Galen, January 2, 1905, to January 4, 1909.

A. J. Galen, January 4, 1909, to January 6, 1913.

D. M. Kelly, January 6, 1913, to January, 1917.

#### SUPREME COURT.

##### Chief Justices.

Henry N. Blake, November 8, 1889, to January 2, 1893.

W. Y. Pemberton, January 2, 1893, to January 2, 1899.

Theodore Brantly, January 2, 1899, to January 2, 1905.

Theodore Brantly, January 2, 1905, to January 2, 1911.

Theodore Brantly, January 2, 1911, to January, 1917.

##### Associate Justices.

E. N. Harwood, November 8, 1889, to January 7, 1895.

William H. De Witt, November 8, 1889, to January 4, 1897.\*

William H. Hunt, January 7, 1895, to June 4, 1900.†

Horace R. Buck, January 4, 1897, to December 24, 1897.\*

W. T. Pigott, December 24, 1897, to January 2, 1899.‡

W. T. Pigott, January 2, 1899, to January 5, 1903.

R. Lee Word, June 4, 1900, to January 7, 1901.§

G. R. Milburn, January 7, 1901, to January 7, 1907.\*

\*Deceased.

†Resigned June 4, 1900, to take office of Secretary of Porto Rico.

‡Appointed to fill vacancy caused by death of Justice Buck.

§Appointed to fill vacancy caused by resignation of Justice Hunt.

W. L. Holloway, January 5, 1903, to January 4, 1909.

W. L. Holloway, January 5, 1909, to January, 1915.

Henry C. Smith, January 7, 1907, to January 6, 1913.

Sidney Sanner, January 6, 1913, to January, 1919.

#### Clerks of the Supreme Court

W. J. Kennedy, November 8, 1889, to January 2, 1893.

Benjamin Webster, January 2, 1893, to January 2, 1899.

H. G. Rickerts, January 2, 1899, to January 2, 1905.

J. T. Athey, January 2, 1905, to January 2, 1911.

J. T. Athey, January 2, 1911, to January, 1917.

#### DISTRICT JUDGES AND JUDICIAL DISTRICTS.

Montana territory was originally divided into three judicial districts by congress. Later it was divided into four districts by an act approved July 10, 1886. At different times the legislative assembly of the state created additional districts, and under an act approved March 5, 1895 and incorporated into the codes adopted that year, the state was divided into the following judicial districts:

First judicial district, Lewis and Clark county; second judicial district, Silver Bow county; third judicial district, Deer Lodge and Granite counties; fourth judicial district, Missoula and Ravalli counties; fifth judicial district, Beaverhead, Jefferson and Madison counties; sixth judicial district, Park and Meagher counties; seventh judicial district, Yellowstone, Custer and Dawson counties; eighth judicial district, Cascade county; ninth judicial district, Gallatin county; tenth judicial district, Choteau (now Chouteau), Fergus and Valley counties; and eleventh judicial district, Flathead and Teton counties.

From time to time, with the creation of additional judicial districts and of new counties, the assignment of counties to districts has been

changed. In the districts following, counties are given as they were assigned to judicial districts at the close of the thirteenth legislative assembly. It is to be noted that the official term of a district judge is four years and begins on the first Monday of January next succeeding his election.

First district comprises Lewis and Clark county.

William H. Hunt, 1889 to 1895.

Horace R. Buck, 1891 to 1897.

Henry N. Blake, 1895 to 1896.

Henry C. Smith, 1897 to 1907.\*

Sydney H. McIntyre, 1897 to 1901.

Thomas C. Bach, 1907 to 1908.†

James M. Clements, 1901 to 1913.‡

J. Miller Smith, 1909 to 1913.‡

\* Elected associate justice of the Supreme court.

† Appointed March 7, 1907, to fill the unexpired term of Henry C. Smith, elected to the Supreme court.

‡ Re-elected for term of four years commencing on the first Monday of January, 1913.

Second district comprises Silver Bow county.

John J. McHatton, 1889 to 1897.

William Y. Pemberton, 1891 to 1893.

William O. Spear, 1893 to 1897.

John Lindsay, 1897 to 1901.

E. W. Harney, 1901 to 1905.

William Clancy, 1897 to 1905.

John B. McClernan, 1901 to 1907.

George M. Bourquin, 1905 to 1909.\*

Michael Donlan, 1905 to 1913.†

Jeremiah J. Lynch, 1907 to 1913.†

John B. McClernan, 1909 to 1913.†

\* Now United States district judge, district of Montana.

† Re-elected for term of four years commencing on the first Monday of January, 1913.

Third district comprises Deer Lodge, Granite and Powell counties.

D. M. Durfee, 1889 to 1893.

Theo. Brantly, 1893 to 1899.

Welling Napton, 1899 to 1905.

George B. Winston, 1905 to 1913.\*

\* Re-elected for term of four years commencing on the first Monday of January, 1913.

Fourth district comprises Missoula, Ravalli and Sanders counties.

Charles S. Marshall, 1889 to 1893.  
 Frank H. Woody, 1893 to 1901.  
 F. C. Webster, 1901 to 1913.  
 H. L. Myers, 1907 to 1911.  
 R. Lee McCoullough, 1911 to 1913.\*  
 A. L. Duncan, 1913.†  
 John E. Patterson, 1913.‡

\* Re-elected for term of four years commencing on the first Monday of January, 1913.

† Elected for term of four years commencing on the first Monday of January, 1913.

‡ Appointed by governor under an act creating another judge in this district.

Fifth district comprises Beaverhead, Jefferson and Madison counties.

Thomas J. Galbraith, 1889 to 1893.  
 Frank Showers, 1893 to 1897.  
 M. H. Parker, 1897 to 1905.  
 L. L. Callaway, 1905 to 1913.  
 Joseph P. Poindexter, 1911 to 1913.\*  
 W. A. Clark, 1913.†

\* Re-elected for term of four years commencing on the first Monday of January, 1913.

† Elected for term of four years commencing on the first Monday of January, 1913.

Sixth district comprises Park, Sweet Grass and Stillwater counties.

Frank Henry, 1889 to 1912.\*  
 James F. O'Connor, June 6, 1912 to 1913.†  
 Albert P. Stark, 1913.‡

\* Services terminated by death.

† Appointed June 6, 1912, to fill vacancy caused by the death of Judge Henry.

‡ Elected for term of four years commencing on the first Monday of January, 1913.

Seventh district comprises Custer and Dawson counties.

George R. Milburn, 1889 to 1897.  
 Charles H. Loud, 1897 to 1908.  
 Sydney Sanner, 1909 to 1913.\*  
 C. C. Hurley, 1913.†

\* Elected as associate justice of the Supreme court at general election in November, 1912.

† Elected for term of four years commencing on the first Monday of January, 1913.

Eighth district comprises Cascade and Teton counties.

Charles H. Benton, 1889 to 1897.  
 Jere B. Leslie, 1897 to 1913.\*  
 Harry H. Ewing, 1909 to 1913.\*

\* Re-elected for term of four years commencing on the first Monday of January, 1913.

Ninth district \* comprises Gallatin county.  
 Frank K. Armstrong, 1891 to 1901.  
 William L. Holloway, 1901 to 1903.  
 W. R. C. Stewart, 1903 to 1913.  
 Benjamin B. Law, 1913.†

\* Created by an act passed by the Second Legislative Assembly of 1891.

† Elected for term of four years commencing on the first Monday of January, 1913.

Tenth district\* comprises Fergus county.  
 Dudley Du Bose, 1891 to 1901.  
 E. K. Cheadle, 1901 to 1913.  
 Roy E. Ayers, 1913.†

\* Created by an act passed by the Second Legislative Assembly of 1891, and originally comprising Chouteau and Fergus counties.

† Elected for term of four years commencing on the first Monday of January, 1913.

Eleventh district \* comprises Flathead and Lincoln counties.

Charles W. Pomeroy, 1895 to 1897.  
 D. F. Smith, 1897 to 1905.  
 John E. Erickson, 1905 to 1913.†

\* Created by an act passed by the Fourth Legislative Assembly of 1895, and originally comprising Flathead and Teton counties.

† Re-elected for a term of four years commencing on the first Monday of January, 1913.

Twelfth district \* comprises Chouteau, Valley, Blaine, Hill and Sheridan counties.

John W. Tattan, 1901 to 1913.†  
 Frank N. Utter, 1911 to 1913.†

\* Created by an act passed by the Seventh Legislative Assembly of 1901 and originally comprising Chouteau and Valley counties.

† Re-elected for term of four years commencing on the first Monday of January, 1913.

Thirteenth district \* comprises Yellowstone,



Rosebud, Carbon, Musselshell and Big Horn counties.

Sydney Fox, 1907 to 1913.

George W. Pierson, 1911 to 1913.†

Charles L. Crum, 1913.‡

\* Created by an act passed by the Tenth Legislative Assembly of 1907, and originally comprising Carbon, Rosebud and Yellowstone counties.

† Re-elected for term of four years commencing on the first Monday of January, 1913.

‡ Elected for term of four years commencing on the first Monday of January, 1913.

Fourteenth district \* comprises Broadwater and Meagher counties.

John A. Matthews.†

\* Created by an act of the Thirteenth Legislative Assembly, approved March 7, 1913.

† Appointed by the governor under the act creating this district.

#### FEDERAL COURT.

##### Federal Judges.

Hiram Knowles, February 23, 1890, to April 15, 1904.

William H. Hunt, September 1, 1904, to April 4, 1910.

Carl Rasch, May 2, 1910, to October 15, 1911.\*

George M. Bourquin, March 8, 1912.

\* Resigned.

##### United States Attorneys.

E. D. Weed, March 28, 1889, to March 11, 1894.

Preston H. Leslie, March 12, 1894, to March 8, 1898.

William B. Rodgers, March 9, 1898, to March 31, 1902.

Carl Rasch, April 1, 1902, to March 19, 1906.

Carl Rasch, March 19, 1906, to June 1, 1908.

J. W. Freeman, June 1, 1908.

J. W. Freeman, July 18, 1912.

##### United States Marshals.

W. F. Furay, July 1, 1890, to March 7, 1894.

William McDermott, March 8, 1894, to March 5, 1898.

T. J. Lynde,\* March 6, 1898, to May 1, 1898.

J. P. Woolman,\* May 12, 1898, to October 8, 1902.

C. F. Lloyd, October 9, 1902, to January 3, 1907.

A. W. Merrifield, January 3, 1907, to May 17, 1911.

William Lindsay, May 18, 1911,

\* Deceased.

#### MEMBERS OF CONGRESS.

##### United States Senators.

##### Class I.\*

Wilbur F. Sanders, January 1, 1890, to March 3, 1893.†

Lee Mantle, March 4, 1895, to March 3, 1899.‡

William A. Clark, March 4, 1899.§

Paris Gibson, March 7, 1901, to March 3, 1905.‡

Thomas H. Carter, March 4, 1905, to March 3, 1911.†

Henry L. Meyers, March 4, 1911, to March 3, 1917.

\* This class was unrepresented from March 3, 1893, to 1895.

† Deceased.

‡ Elected to fill vacancy.

§ Resigned May 11, 1900. Mr. Clark was the same day reappointed by Acting Governor A. E. Spriggs, in the absence of Governor R. B. Smith from the state. On his return he appointed Martin Maginnis, holding Clark's appointment void. Neither set of credentials was presented to the senate.

##### Class II.

Thomas C. Power, January 2, 1890, to March 3, 1895.

Thomas H. Carter, March 4, 1895, to March 3, 1901.\*

William A. Clark, March 4, 1901, to March 3, 1907.

Joseph M. Dixon, March 4, 1907, to March 3, 1913.

Thomas J. Walsh, March 4, 1913, to March 3, 1919.

\* Deceased.

Members of the House of Representatives.

Thomas H. Carter, November 8, 1889, to March 3, 1891.\*

William W. Dixon, March 4, 1891, to March 3, 1893.\*

Charles S. Hartman, March 4, 1893, to March 3, 1895.

Charles S. Hartman, March 4, 1895, to March 3, 1897.

Charles S. Hartman, March 4, 1897, to March 3, 1899.

Andrew J. Campbell, March 4, 1899, to March 3, 1901.\*

Caldwell Edwards, March 4, 1901, to March 3, 1903.

Joseph M. Dixon, March 4, 1903, to March 3, 1905.

Joseph M. Dixon, March 4, 1905, to March 3, 1907.

Charles N. Pray, March 4, 1907, to March 3, 1909.

Charles N. Pray, March 4, 1909, to March 3, 1911.

Charles N. Pray, March 4, 1911, to March 3, 1913.

Thomas Stout, March 4, 1913.†

John M. Evans, March 4, 1913.†

\* Deceased.

† State entitled to two representatives at large, and divided into districts by the 13th Assembly.

## MONTANA SOLDIERS

### ROSTER OF TROOPS BELONGING TO THE THIRD SQUADRON, THIRD UNITED STATES VOLUN- TEER CAVALRY.

#### TROOP F.

Captain: Frank G. Higgins, Missoula, Mont.

First Lieutenant: Will Cave, Missoula, Mont.

Second Lieutenant: Charles H. Hill, Missoula, Mont.

First Sergeant: Daniel Heyfron, Jr., Missoula, Mont.

Quartermaster Sergeant: Rich Guffy, Missoula, Mont.

Sergeants: Robert B. Hill, Missoula, Mont.; Clyde Hatch, Missoula, Mont.; Duncan McDonnell, Missoula, Mont.; Charles T. Dodge, Missoula, Mont.; William H. Burns, Missoula, Mont.; Benjamin Searight, Missoula, Mont.

Corporals: F. Owen, Missoula, Mont.; Roy L. Francis, Missoula, Mont.; Lewis E. Kennedy, Missoula, Mont.; Harry Dorman, Missoula, Mont.; Frederick W. Poe, Missoula, Mont.; George B. Wilds, Missoula, Mont.; Percy Jordan, Missoula, Mont.; H. D. Vence, Missoula, Mont.

Farrier: F. D. Campbell, Missoula, Mont.

Blacksmith: Frank M. Cronkrite, Missoula, Mont.

Trumpeter: William Mannahan, Missoula, Mont.

Saddler: James E. Naughton, Missoula, Mont.

Wagoner: Joseph G. Kennedy, Missoula, Mont.

Privates: Ackerlund, G. S., Missoula,

Mont.; Adams, H., Missoula, Mont.; Baker, Edwin, Missoula, Mont.; Burton, W. F., Missoula, Mont.; Brandon, G. B., Missoula, Mont.; Benton, E. W., Missoula, Mont.; Birdsley, G. O., Missoula, Mont.; Barton, Thomas, Missoula, Mont.; Balch, Howard, Missoula, Mont.; Crowley, J. P., Missoula, Mont.; Chandler, G. W., Missoula, Mont.; Cormier, William, Missoula, Mont.; Calhoun, William, Missoula, Mont.; Davis, C. E., Missoula, Mont.; Dickey, L. L., Missoula, Mont.; Dobbins, Robert, Missoula, Mont.; Fossler, John A., Missoula, Mont.; Femrite, P. J., Missoula, Mont.; Glaus, M., Missoula, Mont.; Garnett, George, Missoula, Mont.; Hartley, H., Missoula, Mont.; Haight, James, Missoula, Mont.; Hartwick, F., Missoula, Mont.; Harris, G. N., Missoula, Mont.; Hammond, H. H., Missoula, Mont.; Hughes, Charles, Missoula, Mont.; Hicks, M., Missoula, Mont.; Johnson, C. E., Missoula, Mont.; Johns, E., Missoula, Mont.; Koopman, F., Missoula, Mont.; Little, F. A., Missoula, Mont.; Morris, L. C., Missoula, Mont.; Morris, William, Missoula, Mont.; Morris, Richard, Missoula, Mont.; Marshall, J., Missoula, Mont.; McKinney, D. F., Missoula, Mont.; Munn, Merton, Missoula, Mont.; Murphy, James, Missoula, Mont.; Newman, D. A., Missoula, Mont.; Olquist, J. S., Missoula, Mont.; O'Mara, J. M., Missoula, Mont.; O'Neill, D., Missoula, Mont.; Parent, Joseph, Missoula, Mont.; Patterson, E., Missoula, Mont.; Perry, Bert., Missoula, Mont.; Peterson, C. E., Missoula, Mont.; Powers, G. L., Missoula, Mont.; Sanders, C., Missoula, Mont.; Scott, Clinton C., Missoula, Mont.; Slocum, George E., Missoula, Mont.; Storey, F. A., Missoula, Mont.; Thurman, L. C., Mis-



soula, Mont.; Tracy, J. S., Missoula, Mont.; Vaughn, W. W., Missoula, Mont.; Vaughn, John, Missoula, Mont.; Wilcox, C. L., Missoula, Mont.; Willson, H. B., Missoula, Mont.; Woodward, R., Missoula, Mont.

## TROOP L.

Captain: D. Gay Stivers, lawyer, Butte, Mont.

First Lieutenant: George Wedekind, clerk, Butte, Mont.

Second Lieutenant: Frank W. Haskins, lawyer, Butte, Mont.

First Sergeant: William J. Rankin, Jr., soldier, war department.

Quartermaster Sergeant: Charles J. Sullivan, reporter, Butte, Mont.

Sergeants: Wilbur L. Boyce, cowboy; John P. Mitchell, civil engineer, Butte, Mont.; Ralph G. Richards, laundryman, Butte, Mont.; James C. Collins, laundryman, Spokane, Wash.; Edward J. Dierks, lawyer, Milwaukee, Wis.; Edward S. McRobert, telegr. operator, Tacoma, Wash.

Corporals: Harry C. Bryant, civil engineer, Butte, Mont.; Thomas J. Walker, clerk, Butte, Mont.; Paul A. Hudtluff, clerk, Butte, Mont.; Richard H. Post, photographer, Butte, Mont.; John Wraith, clerk, Butte, Mont.; Robert Ellis, Jr., cowboy, Butte, Mont.; Thomas Judson Brown, soldier, war department; John C. Gillespie, cowboy, Butte, Mont.

Trumpeters: John M. Toban, engineer, Butte, Mont.; Carl Goertz, cowboy, Anaconda, Mont.

Farrier: Andrew F. Gray, blacksmith, Butte, Mont.

Blacksmith: John Cameron, blacksmith, Butte, Mont.

Saddler: John A. Osborn, cowboy, Butte, Mont.

Wagoner: Charles F. Dooley, cowboy, Butte, Mont.

Privates: Allen, Joseph, cowboy, Butte, Mont.; Alley, Edgar N., cowboy, Butte, Mont.; Amsden, Hiram, Jr., cowboy, Ravenswood, W. Va.; Anschutz, Harry P., cowboy, Butte, Mont.; Baker, Robert W., soldier, war depart-

ment; Belliveau, Wilfred, tailor, Butte, Mont.; Callan, Peter, miner, Butte, Mont.; Carlton, Robert, cowboy, Butte, Mont.; Caylor, Edgar J., butcher, Olathe, Kan.; Chennette, John, cowboy, Anaconda, Mont.; Christianson, Emil, clerk, Racine, Wis.; Connors, Charles S., cowboy; Cunningham, Alonzo C., cowboy, New Matamoras, O.; Darlington, Richard B., woodman, Chicago, Ill.; Deloughery, Patrick F., miner, Butte, Mont.; Dempsey, John, cowboy, Butte, Mont.; Des Jardin, Louis M., cowboy, Butte, Mont.; Diamond, Miles K., cowboy; Evans, Charles D., brakeman, Butte, Mont.; Ferguson, Frank J., cowboy, Butte, Mont.; Gillespie, William S., cowboy, Butte, Mont.; Gillette, William F., cowboy, Gaines, N. Y.; Haldeman, Delbert J., cowboy, Butte, Mont.; Fisher, Joseph, cowboy, Butte, Mont.; Hanson, Lawrence F., cowboy, Brigham City, Utah; Harley, Daniel L., line repairer, Butte, Mont.; Hill, Jackson J., carpenter, Butte, Mont.; Hunt, Thomas, cowboy, Gibbonsville, Idaho; Johnson, William F., cowboy, Butte, Mont.; Karn, Jesse E., cook, Butte, Mont.; Kerr, Clinton H., cowboy, Butte, Mont.; Kennedy, Edward J., cowboy, Butte, Mont.; Koblth, Alphonse, cowboy, Butte, Mont.; Lane, James, soldier, war department; Langley, Clarence S., dentist; Lewis, George V., cowboy, Butte, Mont.; Lloyd, John R., smelterman, Butte, Mont.; McDougall, Angus D., cowboy, war department; Martin, Fred, teamster, Butte, Mont.; Matheson, William B., cowboy, Butte, Mont.; Matthews, Thomas, soldier, war department; Newman, Charles A., cowboy, Butte, Mont.; O'Malley, Edward V., cowboy, Butte, Mont.; Pearson, Nels W., cowboy, Butte, Mont.; Philbrick, Henry, cowboy, Butte, Mont.; Price, Vincent, carpenter, Butte, Mont.; Ragan, Mack W., cowboy, Butte, Mont.; Reynolds, Henry H., bookkeeper, Butte, Mont.; Roach, Joseph, cowboy, Butte, Mont.; Shay, Edward, blacksmith, Butte, Mont.; Sweet, William S., blacksmith; Simpson, Robert W., cowboy, Butte, Mont.; Taylor, Cass W., cowboy, Butte, Mont.; Turnbull, Samuel, tinsmith, Butte, Mont.; Van Gordan, Harry, blacksmith, Butte, Mont.; Walker,

Arthur C., machinist, Butte, Mont.; Weeks, William J., prospector, Butte, Mont.; Wright, William I., operator, Butte, Mont.; Wycoff, James R., cowboy, Butte, Mont.

## TROOP M.

Captain: John C. Bond, wool grower, Billings, Mont.

First Lieutenant: Herbert V. Bailey, bookkeeper, Billings, Mont.

Second Lieutenant: Robert Leavens, mail contractor, Billings, Mont.

First Sergeant: William H. Morse, clerk, Billings, Mont.

Quartermaster Sergeant: John B. Herford, lawyer, Billings, Mont.

Sergeants: Elmer B. Carter, stockman, Billings, Mont.; William H. McCormick, clerk, Billings, Mont.; Stanley Guy, cowboy, Glendive, Mont.; James F. Johnston, lawyer, Miles City, Mont.; Abraham B. Newman, bookkeeper, Billings, Mont.; John E. Hughes, mail contractor, Billings.

Corporals: John W. Selvidge, tinsmith, Carbonado, Mont.; Otto W. Eastman, tinsmith, Livingston, Mont.; Edwin J. Ranger, barber, Bridger, Mont.; George Carpenter, stockman, Argo, Ill.; Lorrin B. Clark, cowboy, Bozeman, Mont.; William B. Calhoun, druggist, Billings, Mont.; Levi H. Stoddard, printer, Billings, Mont.; William C. King, soldier, war department.

Trumpeters: James Brown, soldier, war department; Herbert E. Sammons, cowboy, Joliet, Ill.

Farrier: August J. Scheibellhut, miner, Lewistown, Mont.

Blacksmith: Charles N. Whipple, blacksmith, Absarokee, Mont.

Saddler: Sanford W. Johnson, saddler, Billings, Mont.

Wagoner: Fred E. Hortop, miner, Lewistown, Mont.

Privates: Belez, Charles, stockman, Billings, Mont.; Bradley, George, miner, Athens, Ohio; Brooks, Charles D., stockman, Billings, Mont.; Carper, Leo, clerk, Billings, Mont.; Caswell, Frank, cowboy, Torkiln, R. I.; Col-

lins, Richard, stockman, Fargo, N. D.; Costello, Edward, tailor, Livingston, Mont.; Daniels, John W., cowboy, Billings, Mont.; Darrow, George L., plasterer, Summerfield, Ill.; Davis, Guy H., cowboy, Billings, Mont.; Davis, Le Roy E., cowboy, Billings, Mont.; Dodd, Guy M., cowboy, Waverly, Mont.; Egan, Patrick J., cowboy; Edwards, George D., teamster, Billings, Mont.; Gilmore, Harry, cowboy, Lewistown, Mont.; Gilray, Robert, cowboy, Livingston, Mont.; Griffin, Archibald, cowboy, Council Bluffs, Ia.; Gunn, John M., cowboy, Livingston, Mont.; Hall, John W., teamster, Billings, Mont.; Hamilton, James, cowboy, Prescott, Wash.; Hanson, John C., photographer, Billings, Mont.; Harner, Bert S., R. R. engineer, Livingston, Mont.; Hart, Arthur J., printer, Billings, Mont.; Hedger, Walter, sailor, Sag Harbor, N. Y.; Hochstatter, Philip, stockman, Billings, Mont.; Holmlund, Oscar, cowboy, Billings, Mont.; Hortop, Almon S., miner, Lewistown, Mont.; Johnston, George F., cowboy, Chattanooga, Tenn.; Julian, John W., stockman, Evansville, Ind.; Lockard, Charles H., cook, Billings, Mont.; Lumsden, Andrew S., cook, Shelton, Wash.; Lyons, Edward, sailor, Cleveland, Ohio; Meyers, Fred G., stockman, Halbert, Mont.; Meyer, Moses M., clerk, Butte, Mont.; Moore, James, clerk, Junction, Mont.; Magoon, William G., barber, Midland, Mich.; Mill, Frank, stockman, Absarokee, Mont.; Morehouse, Bert, stockman, Billings, Mont.; Morgan, Merton, cook, Billings, Mont.; Morse, Frank A., clerk, Billings, Mont.; Mount, James E., carpenter, Junction, Mont.; McCadden, Edwin C., teacher, Absarokee, Mont.; McCormick, Wilber, cowboy, Billings, Mont.; McGarry, John, stockman, East St. Louis, Ill.; O'Brien, Patrick, seaman, Billings, Mont.; Rea, Thomas J., clerk, Billings, Mont.; Richards, James, cowboy, Billings, Mont.; Schiller, August, blacksmith, Lewistown, Mont.; Schule, Julius, cowboy, Billings, Mont.; Smith, John A., cowboy, Billings, Mont.; Smith, Lynd, cowboy, West Superior, Wis.; Sorenson, Chris, weaver, Billings, Mont.; Steinbrueck, Anthony J., trainman, Chicago, Ill.; Thompson, Mark, cow-

boy, Billings, Mont.; Todd, George, cowboy, Billings, Mont.; Williamson, Walli W., operator, Omaha, Neb.; Wright, John R., machinist, Augusta, Ga.; Ziminski, Joseph, cowboy, Billings, Mont.; Yockey, A. L., clerk, Billings, Mont.

## TROOP I.

Captain: Joseph T. Brown, stockman, Miles City, Mont.

First Lieutenant: John McKay, stockman, Lee, Mont.

Second Lieutenant: Edward McEnterf, cowboy, Ekalaka, Mont.

First Sergeant: Frederick H. Otto, telegraph operator, Bryan, Iowa.

Quartermaster Sergeant: Thomas A. Mapes, R. M. S., Miles City, Mont.

Sergeants: Thomas Butler, clerk, Miles City, Mont.; Florian Ford, stockman, Lame Deer, Mont.; Judd P. Hedges, cowboy, Glendive, Mont.; Julius Schandel, stockman, Lame Deer, Mont.; Wirt H. Newcomb, clerk, Miles City, Mont.; Isaac Fraser, cowboy.

Corporals: Frederick S. Shaw, cowboy, Jamestown, N. Y.; William C. Henderson, cowboy, Ekalaka, Mont.; Chauncey Nicholson, cowboy, Glendive, Mont.; Walter L. Bonney, cowboy, Glendive, Mont.; Alvin M. Young, cowboy, Kirby, Mont.; Cornelius Elliott, cowboy, Seattle, Wash.; Frank Dunnigan, clerk, Miles City, Mont.; Harry G. Wright, cowboy, Miles City, Mont.

Trumpeters: George F. Clark, electrician, Miles City, Mont.; Venrley H. Beeman, clerk, Miles City.

Farrier: George F. Parlin, cowboy, Ekalaka, Mont.

Blacksmith: John A. Fraser, blacksmith, Miles City, Mont.

Saddler: Wilson Owens, saddler, Miles City, Mont.

Wagoner: Andrew J. Ritchie, cowboy, Ekalaka, Mont.

Privates: Anderson, August W., stockman, Miles City, Mont.; Aston, Thomas, cowboy, Miles City, Mont.; Barlage, Harry H., cowboy, Miles City, Mont.; Boyle, Daniel J., cow-

boy, Miles City, Mont.; Bruce, H. S., cowboy, Miles City, Mont.; Brown, Robert C., cowboy, Glencoe, Iowa; Bullard, John W., cowboy, Miles City, Mont.; Cantlin, Thomas H., saddler, Miles City, Mont.; Caywood, John, cowboy, Miles City, Mont.; Coffen, Eugene, cowboy, Ekalaka, Mont.; Connor, Thomas, cowboy, Miles City, Mont.; Cornue, Melvin, stockman, Miles City, Mont.; Dutrow, Walter C., cowboy, Miles City, Mont.; Elder, Donald M., cowboy, Miles City, Mont.; Faessler, Adolph, cowboy, Miles City, Mont.; Fletcher, Christian D., cowboy, Lee, Mont.; Forseth, Stephen, cowboy, Miles City, Mont.; Foster, Herbert B., cowboy; Friebe, Henry, U. S. Army, war department; Gardner, Frank G., cowboy; Glenn, James, cowboy, Chelsea, I. T.; Goodman, William, cowboy, Fargo, N. D.; Hawn, Howard F., stockman, Ekalaka, Mont.; Hayes, John, sailor, Miles City, Mont.; Hill, Clarence N., photographer, Miles City, Mont.; Hollingsworth, Leon H., cowboy, Jacksboro, Tenn.; Hollenbeck, Adolph W., cowboy, Lee, Mont.; Horkan, George A., cowboy, Washington, D. C.; Howard, Edward L., cowboy, Miles City, Mont.; Huff, George W., stockman, Ekalaka, Mont.; Huffey, Edward T., farrier, Miles City, Mont.; Hussy, Harvey S., printer, Miles City, Mont.; James, Bert, cowboy, Ekalaka, Mont.; Jenks, Eland, stockman, Miles City, Mont.; Keenan, Albert W., printer, Miles City, Mont.; Kennedy, George A., butcher, Miles City, Mont.; Larson, Robert T., cowboy, Birney, Mont.; McDonald, William H., barber, Miles City, Mont.; McElhaney, James, lather, Logansport, Ind.; McRobie, Charles, cowboy, Miles City, Mont.; McSweyn, Finley, cowboy; Michels, Otto, cowboy, Miles City, Mont.; Miller, Gustave, cowboy, Beebe, Mont.; Morrison, Elijah, cowboy, Miles City, Mont.; Renton, George H., cowboy, Omaha, Neb.; Reese, Raymond E., cowboy, Miles City, Mont.; Rhinehart, J. C., cowboy, Miles City, Mont.; Samlin, John, cowboy, Miles City, Mont.; Salvesson, Tobias, stockman, Birney, Mont.; Schryner, Charles E., cowboy, Glendive, Mont.; Schmidt, John F., cowboy, Miles City, Mont.; Seiders, Harry L., blacksmith,



Miles City, Mont.; Smiley, George, cowboy, Miles City, Mont.; Smith, Thomas B., cowboy, Miles City, Mont.; Sprague, George A., cowboy, Miles City, Mont.; Squires, Daniel, miner, Miles City, Mont.; Tangale, Robert M., cowboy, Miles City, Mont.; Taylor, Hamilton G., cowboy, Miles City, Mont.; Thompson, Joseph, cowboy, Miles City, Mont.; Tolan, Edward, cowboy, Ekalaka, Mont.; Warner, Edward, cowboy, Santa Rita, N. M.

#### ROSTER OF FIRST MONTANA INFANTRY, U. S. V.

##### FIELD AND STAFF.

Harry C. Kessler, Colonel, capitalist, Butte, Mont.; Byron H. Cook, Lieutenant Colonel, accountant, Butte, Mont.; John R. Miller, Major, banker, Helena, Mont.; James F. Keown, Major, farmer, Bozeman, Mont.; Asa L. Duncan, Major, lawyer, Missoula, Mont.; Wm. B. Knowlton, 1st Lieut. and Adjt., accountant, Butte, Mont.; Wm. Brown, 1st Lieut. and Bat. Adjt., druggist, Helena, Mont.; Joseph Corby, 1st Lieut. and Bat. Adjt., engineer, Butte, Mont.; James M. Croft, 1st Lieut. and Bat. Adjt., county assessor, Lewistown, Mont.; Francis J. Adams, Maj. and Surgeon, physician, Great Falls, Mont.; Lou C. Bruning, 1st Lt. and Ast. Surg., physician, Miles City, Mont.; Leroy Southmayd, 1st Lt. and Ast. Surg., physician, Virginia City, Mont.; George C. Stull, Capt. and Chaplain, clergyman, Billings, Mont.; Alfred Seadorf, 1st Lieut. and Q. M., bookkeeper, Butte, Mont.

##### Promoted.

Robt. B. Wallace, Lieut. Col., soldier, Col. 37th Inf., U. S. V. July 10, 1899; Wm. B. Hanna, 1st Lt., Bat. Adjt., accountant, Capt. 37th Inf., U. S. V. July 13, 1899.

##### Resigned.

Benj. E. Calkins, 1st Lt. and Adjt., Butte, Mont., stationer, Jan. 7, 1899.

##### Died.

James W. Drennan, Major, died of Bright's disease at Malate, P. I. June 24, 1898.

##### Wounded.

Robt. B. Wallace, Lt. Col., wounded in left lung at Caloocan P. I. Feb. 10, 1899; John R. Miller, Major, wounded in left shoulder at Calumpit, P. I. April 27, 1899; Francis J. Adams, Maj. and Surg., wounded in left thigh near Bocaue, P. I. March 28, 1899.

##### NON-COMMISSIONED STAFF.

John C. Heilig, Sergt. Maj., accountant, Butte, Mont.; Lloyd R. Hood, Q. M. Sergt., salesman, Bozeman, Mont.; Edw. H. Charette, Hospital Steward, druggist, Great Falls, Mont.; Edmund G. High, hospital steward, druggist, Butte, Mont.; Rudolf Herbst, hospital steward, nurse, Great Falls, Mont.; Harry Roberts, chief musician and conductor, musician, Great Falls, Mont.; Chas. D. Tomlinson, principal musician, musician, Augusta, Mont.; Geo. W. Crowell, principal musician, clerk, Dillon, Mont.

##### Discharged to Accept Commissions.

James H. Monteath, Sergt. Maj., Butte, Mont., newspaperman, Maj. Grigsby's Rough Riders, June 15, 1898; Colin S. Hill, Sergt. Maj., Butte, Mont., accountant, 2nd Lt., Co. F. 1st Mont. May 1, 1899; Chas. W. Lane, Q. M. Sergt., Butte, Mont., accountant, 2nd Lt., Co. A 1st Mont., Aug. 22, 1899.

##### HOSPITAL CORPS.

Edw. H. Charette, hospital steward, druggist, Great Falls, Mont.; Edmund G. High, hospital steward, druggist, Butte, Mont.; Rudolf Herbst, hospital steward, nurse, Great Falls, Mont.; Albert D. Tonkin, student, Butte, Mont.; Fred Peterson, nurse, Helena, Mont.; John E. Strain, clerk, Great Falls, Mont.; Charles S. Patterson, student, Bozeman, Mont.

##### Discharged.

Robt. H. Paxson, hospital steward, Butte, Mont., druggist, by orders, March 10, 1899; Andrew G. Linquest, Butte, Mont., nurse, by orders, August 9, 1899; Charles C. Cline, Stockton, Cal., blacksmith, by orders, October 1, 1899; Warner A. Jennings, Townsend,

Mont., teacher, by orders, October 1, 1899; Daniel A. McMillian, Butte, Mont., clerk, by orders, August 31, 1899; Albert D. McNeal, Manila, P. I., restaurant keeper, by orders, August 18, 1899.

#### Transferred.

Harry A. Green, Virginia City, Mont., nurse; Oliver L. Nelson, Helena, Mont., nurse; Alex. Ralston, Butte, Mont., student; all to First Reserve hospital, Manila, August 31, 1898.

#### Dead.

Robert Lennington, died of pneumonia at San Francisco, Cal., July 6, 1898.

#### FIRST MONTANA INFANTRY BAND.

Harry Roberts, chief musician and conductor; Chas. D. Tomlinson, principal musician, solo bb cornet; Geo. W. Crowell, principal musician, solo bb clarinet; Wm. D. Alexander, private, third alto; Edw. B. Biganess, private, eb tuba; Alfred C. Cashmore, private, second trombone; Herman Fashman, private, bass trombone; Wm. A. Flowers, private, solo alto; Alfred Force, private, first tenor; Frank Hawkins, private, bass drum; John H. McPherson, private, b bb tuba; John F. Pearson, private, first bb cornet; Oliver M. Ross, private, second tenor; Harry B. Stevens, private, piccolo; Walter L. Verge, private, eb clarinet; Chas. M. Walker, private, cymbals; Wm. H. Wilton, private, baritone; Albert Breitlove, sergeant, first alto; Leon D. Alexander, private, solo bb cornet; Ernest H. Boyd, private, snare drum; Ray Conger, private, second clarinet; Frederick Lythe, private, fourth alto; Edgar J. Thomson, private, drum major.

#### Discharged.

Asa F. Fisk, sergeant, by order, June 1st, 1899; George B. Mead, private, Thirty-seventh U. S. V., by order, August 22, 1899.

#### Wounded.

George W. Crowell, principal musician, wounded in right leg at Malolos, P. I., April 4, 1899; Alfred Cashmore, private, wounded in left leg at Caloocan, P. I., March 2, 1899.

#### Dead.

Clarence G. Briggs, private, died in Manila, P. I., February 12, 1899, of wounds received at Caloocan; Frederick Hall, private, killed in action at Caloocan, February 10, 1899.

#### CO. F—FIRST BATTALION.

William L. Hill, captain, accountant, Butte, Mont.; William C. Gardenhire, 1st lieutenant, traveling man, Butte, Mont.; Colin S. Hill, 2nd lieutenant, bookkeeper, Butte, Mont.; James E. Weaver, 1st sergeant, carpenter, Butte, Mont.; William Johnson, Q. M. sergeant, teamster, Butte, Mont.; Adolph Keppeler, sergeant, jeweler, Butte, Mont.; Thomas J. Coberly, sergeant, miner, Butte, Mont.; Louis Olson, sergeant, engineer, Butte, Mont.; Arlin R. Ayers, sergeant, assayer, Butte, Mont.; John Stenzel, corporal, miner, Butte, Mont.; John H. Caddy, corporal, photographer, Butte, Mont.; Ernest H. Leosch, corporal, butcher, Butte, Mont.; Charles H. Evans, corporal, baker, Seattle, Wash.; Charles M. Pyle, corporal, miner, Butte, Mont.; William Raymond, corporal, tinsmith, Butte, Mont.; Eugene Gastiger, cook, cook, Butte, Mont.; John G. Vigeant, musician, chemist, Butte, Mont.; Herbert P. Galbraith, artificer, printer, Philadelphia, Pa.; John Strasser, wagoner, locksmith, Butte, Mont.

Privates: Alex. C. Abbott, glass-blower, Middletown, N. Y.; Joseph J. Baker, boiler-maker, Butte, Mont.; William Barkowski, potter, Butte, Mont.; Joseph Brauer, tile setter, Butte, Mont.; Herbert R. Bucks, engineer, Aurora, Ill.; Alfred E. Caddy, carpenter, Butte, Mont.; George E. Chapman, engineer, Butte, Mont.; Frederick Chaxel, painter, Butte, Mont.; James F. Craver, millman, Butte, Mont.; Charles W. Elwell, clerk, Leminsters, Mass.; John J. Evans, miner, Butte, Mont.; John S. Forsberg, clerk, Belt, Mont.; Joseph Frantzen, miner, Butte, Mont.; Robert E. Gaffin, harness maker, Butte, Mont.; Samuel Gillam, miner, Butte, Mont.; Abel H. Hall, plasterer, Butte, Mont.; Martin S. Hall, miner, Butte, Mont.; William B. Harris, miner, Butte, Mont.; William P. Harris, miner, Butte,

Mont.; Edward W. Harvey, cook, Butte, Mont.; Victor L. Hitter, butcher, Monticello, Minn.; Thomas Johns, smelterman, Butte, Mont.; Jesse E. Jones, horse trainer, Eureka, Utah; Owen King, miner, Butte, Mont.; George F. Mardel, upholsterer, Butte, Mont.; Bruce H. Mason, miner, Butte, Mont.; Timothy J. McAuliff, miner, Butte, Mont.; Acle McMahon, miner, Butte, Mont.; Michael Nugent, miner, Ishpeming, Mich.; Mathias Ostberg, carpenter, Butte, Mont.; Frank Otis, miner, Butte, Mont.; Charles F. Patton, miner, Colton, Ohio; T. J. Renaux, stone mason, Butte, Mont.; Gus A. Schudoma, teamster, Butte, Mont.; Alvin D. Sheldon, clerk, Butte, Mont.; Frank E. Tate, cabinet maker, Butte, Mont.; James C. Taylor, paperhanger, Butte, Mont.; William F. Turner, machinist, Butte, Mont.; Charles R. Ubele, blacksmith, Butte, Mont.; Eugene Valencourt, miner, Iron Mountain, Mich.; Charles R. Valentine, waiter, Butte, Mont.; William H. Walsh, cook, Butte, Mont.; Eugene A. Whitten, stonecutter, Butte, Mont.

#### Discharged.

Gustav T. Nickel, 1st lieutenant, Butte, Mont., saloonkeeper, resigned April 18, 1899; Adolf Keppner, 2nd lieutenant, Butte, Mont., clerk, by order, January 6, 1899; Gustav H. B. Hess, sergeant, Butte, Mont., machinist, by order, November 14, 1898; Adolph M. Clay, corporal, San Francisco, Cal., civil engineer, disability, September 3, 1899; Alex McAlpey, corporal, Butte, Mont., miner, by order, May 16, 1899; Albert Ackerman, Cavite, P. I., saloonkeeper, by order, October 6, 1898; Edw. B. Bowen, Butte, Mont., miner, disability, September 5, 1899; Dugal Carmichael, Butte, Mont., baker, by order, August 19, 1899; Wm. Gottlieb, Butte, Mont., cook, disability, September 5, 1899; Henry B. Hinton, Butte, Mont., miner, by order, September 5, 1899; Michel L. James, Butte, Mont., miner, by order, July 23, 1899; John Jonas, Butte, Mont., marble cutter, by order, September 5, 1899; Wm. McCartney, Butte, Mont., miner, by order, September 5, 1899; Jesse J. Norgaard, Kalispell, Mont., miner, by order, August 13,

1899; Thos. W. Robinson, Butte, Mont., miner by order, August 19, 1899; Lorenz Schaub, Butte, Mont., baker, by order, August 19, 1899; Jos. L. Trahant, Butte, Mont., shoe cutter, by order, August 19, 1899; Louis Weigle, Butte, Mont., butcher, by order, August 19, 1899.

#### Transferred.

Milan D. Elderkin, Butte, Mont., machinist, to Co. I, June 6, 1898; Frank S. McNeil, Manila, P. I., laborer, to Co. B, December 23, 1898; Wm. P. Mulcahy, Helena, Mont., electrician, to Co. E, June 6, 1899; Chas. M. Walker, Butte, Mont., soldier, to Reg. band, November 26, 1898.

#### Wounded.

Wm. L. Hill, captain, wounded at Caloocan, P. I., in right groin, February 10, 1899; Wm. G. Gardenhire, 1st lieutenant, wounded at Caloocan, P. I., in leg, February 10, 1899; Adolph M. Clay, corporal, wounded at Calumpit, P. I., in jaw, April 26, 1899; Wm. Barkowski, wounded near Bocoue, P. I., in left lung, March 28, 1899; Edw. B. Bowen, wounded near Bocoue, P. I., in forehead, March 28, 1899; Fred Chaxel, wounded at Caloocan, P. I., in right elbow, February 23, 1899; James F. Craver, wounded at Caloocan, P. I., in back, February 10, 1899; Jos. Frantzen, wounded at San Fernando, P. I., in right cheek, May 24, 1899; Martin S. Hall, wounded at Calumpit, P. I., in ear, April 26, 1899; Frank E. Tate, wounded at Calumpit, P. I., in nose, April 26, 1899; Jas. C. Taylor, wounded at San Fernando, P. I., in head, May 24, 1899.

#### Dead.

David L. Williams, musician, died at Manila, P. I., of dysentery, May 31, 1899; Jos. O. J. Beckman, artificer, killed in action at La Loma church, P. I., March 25, 1899; Wm. F. Stanley, died at Manila, P. I., of typhoid fever, February 19, 1899.

#### CO. I—FIRST BATTALION.

Guy H. Preston, captain, pharmacist, Lewistown, Mont.; Alex Wessitch, 2nd lieutenant,



clerk, Bozeman, Mont.; Benj. C. Wiedeman, 1st sergeant, clerk, Lewistown, Mont.; Thos. A. Harrison, Q. M. sergeant, soldier, Dubuque, Iowa; Wm. A. Shauls, sergeant, saloonkeeper, Lewistown, Mont.; Edw. L. Skinner, sergeant, laborer, Lewistown, Mont.; Chas. L. Seifert, sergeant, clerk, Lewistown, Mont.; Jos. Lorenz, sergeant, tailor, Lewistown, Mont.; Chas. F. Smith, corporal, printer, Lewiston, Mont.; Arthur T. Harvey, corporal, laborer, Lewistown, Mont.; Alex Robertson, corporal, miner, Bosault, Idaho; Edw. M. Weaver, corporal, laborer, Lewistown, Mont.; Frank N. Bristol, corporal, farmer, Cottonwood, Mont.; John F. Munz, miner, Dawson City, Alaska; Chas. G. Edwards, cook, Gilt Edge, Mont.; Chas. E. Beary, musician, printer, San Francisco, Cal.; Geo. W. Hall, musician, farmer, Lewistown, Mont.; Frank M. Partridge, artificer, carpenter, Lewistown, Mont.; Perry C. McHugh, wagoner, laborer, Lewistown, Mont.

Privates: Anton Bisjak, miner, Gilt Edge, Mont.; Harry D. Booth, railroad man, Great Falls, Mont.; Robert B. Bradley, herder, Gilt Edge, Mont.; Geo. Briggs, miner, Gilt Edge, Mont.; Percy C. Bullard, clerk, Lewistown, Mont.; Geo. H. Burmaster, clerk, Lewistown, Mont.; Harry Buser, barber, Lewistown, Mont.; Nuggett Cordeiro, herder, Castle, Mont.; Conrad Duvall, stockman, Cottonwood, Mont.; Jos. Echer, miner, Belt, Mont.; Milan D. Elderkin, machinist, Butte, Mont.; Jonathan F. Fisher, laborer, Maiden, Mont.; Chas. R. Frost, stockman, Lewistown, Mont.; Frank Gant, miner, Belt, Mont.; Samuel Grant, miner, Gilt Edge, Mont.; Edw. B. Harvey, laborer, Lewistown, Mont.; Alvin M. Hill, teamster, Ubet, Mont.; Wm. R. Hortop, herder, Lewistown, Mont.; Marshall H. Huffine, clerk, Bozeman, Mont.; Jas. P. Johnson, miner, Belt, Mont.; Jas. Logan, miner, Belt, Mont.; Edw. J. Lynn, miner, Belt, Mont.; Robt. H. McKee, miner, Gilt Edge, Mont.; Gilbert T. Olson, teamster, Sand Coulee, Mont.; Shelton N. Paine, railroad man, Great Falls, Mont.; Samuel C. Purdy, miner, Belt, Mont.; Julius Riser, miner, Lewistown, Mont.; John B. Ritch, miner, Gilt

Edge, Mont.; Chas. F. Robbins, railroad man, Great Falls, Mont.; Richard Roberts, cook, Lewistown, Mont.; Wm. J. Roberts, jeweler, Belt, Mont.; John F. Schultz, miner, Gilt Edge, Mont.; Ray O. Sherman, farmer, Castle, Mont.; Chas. Starnish, miner, Belt, Mont.; A. Van Ernestine, herder, Lewistown, Mont.; Hiram L. Welch, farmer, Cottonwood, Mont.

#### Discharged.

Edward A. Foster, 1st lieutenant, Lewistown, Mont., merchant, by order, August 18, 1899; Edwin K. Cheadle, 1st sergeant, Lewistown, Mont., lawyer, by order, June 1, 1899; Thomas D. Barton, sergeant, Manila, P. I., printer, by order, August 18, 1899; Geo. F. Young, sergeant, Manila, P. I., tinner, by order, July 6, 1899, re-enlisted Thirty-seventh U. S. V.; Albert Pfau, corporal, Lewistown, Mont.; miner, disability, March 21, 1899; Thomas G. Nielson, corporal, Lewistown, Mont.; miner, by disability, March 21, 1899; William Schugart, musician, Lewistown, Mont., barber, by order, August 18, 1899; Seymour Addison, Gilt Edge, Mont., blacksmith, by order, July 6, 1899, re-enlisted 37th U. S. V.; Carl A. Anderson, Lewistown, Mont., farmer, disability, April 26, 1899; Jacob F. Arsenschek, Manila, P. I., miner, by order, August 18, 1899; Clarence H. Barrows, Ubet, Mont., Stockman, disability, September 11, 1899; William A. Bonham, Lewistown, Mont., farmer, disability, September 11, 1899; Milton B. Carroll, Lewistown, Mont., farmer, disability, April 18, 1899; Leroy Gorley, Manila, P. I., elocutionist, by order, July 6, 1899, re-enlisted Thirty-seventh U. S. V.; Edward J. Grindrod, Manila, P. I., lawyer, by order, August 18, 1899; William J. Hanna, Big Timber, Mont., clergyman, November 25, 1898; Frederick H. Jones, Gilt Elge, Mont., miner, disability, September 7, 1899; John G. Kertz, Manila, P. I.; teamster, by order, July 6, 1899, re-enlisted Thirty-seventh U. S. V.; Andrew Merton, Belt, Mont., miner, disability, September 11, 1899; Bernard Neisigh, Lewistown, Mont., miner, by order, March 3, 1899; Claude Ramsey, Paines Creek, Mont., laborer,

disability, February 2, 1899; Lewis D. Smith, Lewistown, Mont., rancher, March 19, 1899; James W. Stevenson, Manila, P. I., miner, by order, August 18, 1899; Frank A. Storey, Manila, P. I., miner, by order, August 4, 1899, re-enlisted Thirty-seventh U. S. V.

#### Transferred.

James M. Croft, 2nd lieutenant, Lewistown, Mont., county assessor, to First Lieutenant and Battalion Adjutant, September 29, 1899; Arthur W. Stoddard, sergeant, Lewistown, Mont., merchant, to Second Lieutenant, Company K, August 18, 1899; Edward J. Kurz, Iowa City, Iowa, laborer, to Company A, January 29, 1899; Fred Miller, Helena, Mont., teamster, to Company L, June 6, 1898; Myles J. O'Connor, Manila, P. I., miner, to Company C, June 13, 1898.

#### Wounded.

Joseph Lorenz, sergeant, wounded near Meycauayan, P. I., in right thigh, March 27, 1899; Edward L. Skinner, sergeant, wounded at La Loma church, P. I., in left leg, February 5, 1899; Edward M. Weaver, corporal, wounded at Tuliahan river, P. I., in left forearm, March 25, 1899; Seymour Addison, wounded near Meycauayan, P. I., in left shoulder, March 27, 1899; William A. Bonham, wounded at Caloocan, P. I., in right shoulder, February 23, 1899; Percy C. Bullard, wounded near Caloocan, P. I., in right foot, February 8, 1899; Edward B. Harvey, wounded at Calumpit, P. I., in neck, April 26, 1899; Edward J. Lynn, wounded at La Loma church, P. I., in abdomen, March 25, 1899.

#### Dead.

William R. Meyersick, died of wounds, February 13, 1899, received at Manila, P. I.; William C. O'Leary, died of spinal meningitis, September 5, 1898, at Cavite, P. I.

#### CO. B—FIRST BATTALION.

Louis P. Sanders, captain, lawyer, Helena, Mont.; Clarence I. Boardman, 1st lieutenant, lawyer, Great Falls, Mont.; Geo. W. King,

2nd lieutenant, medical student, Butte, Mont.; Michael Joy, 1st sergeant, miner, Butte, Mont.; Everett Metcalf, Q. M. sergeant, fireman, Butte, Mont.; John J. Eddy, sergeant, bookkeeper, Butte, Mont.; Wilmer B. Brinton, sergeant, motorman, Butte, Mont.; Stephen G. Jeans, sergeant, clerk, Butte, Mont.; Peter D. McKenzie, sergeant, miner, Butte, Mont.; Frank McManimon, corporal, miner, Butte, Mont.; James McCartin, corporal, miner, Butte, Mont.; Wm. Williams, corporal, blacksmith, Butte, Mont.; Homer E. Vroom, corporal, engineer, Butte, Mont.; Michael Hanifan, corporal, miner, Butte, Mont.; Foster Torrence, corporal, miner, Butte, Mont.; Thos. Goforth, cook, smelterman, Butte, Mont.; Chas. Peltier, artificer, upholsterer, Butte, Mont.; Michael H. Hogan, wagoner, teamster, Butte, Mont.

#### Privates.

Wm. Aspel, miner, Butte, Mont.; Thomas Bergum, laborer, Butte, Mont.; Chas. Black, laborer, Butte, Mont.; Thos. Bowden, painter, Butte, Mont.; Chas. Brinton, student, Butte, Mont.; John Coggins, miner, Butte, Mont.; Jas. Connell, miner, Butte, Mont.; Thos. Crotty, miner, Denver, Colo.; Andrew Davis, carpenter, Butte, Mont.; John Erickson, laborer, Butte, Mont.; Frank Foley, miner, Butte, Mont.; Frank Franzen, laborer, Butte, Mont.; Thos. C. Garrity, miner, Butte, Mont.; Wm. A. Green, farmer, Cannon Ferry, Mont.; Isaac Havard, laborer, Butte, Mont.; Secondrus Holland, laborer, Pupello, Ala.; John Kemple, miner, Butte, Mont.; Luke Kennelly, student, Butte, Mont.; Thos. Maguire, miner, Butte, Mont.; Jas. Martin, miner, Butte, Mont.; John McClernon, miner, Butte, Mont.; Geo. Miller, miner, Butte, Mont.; Leonard Miller, cook, Butte, Mont.; Daniel J. Monroe, miner, Butte, Mont.; Edw. Morrissey, miner, Butte, Mont.; John E. Murphy, miner, Butte, Mont.; Patrick O'Brien, miner, Butte, Mont.; Jas. Percise, machinist, Butte, Mont.; Arthur Peters, miner, Butte, Mont.; Henry Pollard, shoemaker, Butte, Mont.; Nathan D. Root, laborer, Butte, Mont.; Jas. H. Rowling, laborer, Butte, Mont.;

Jos. M. Shane, miner, Butte, Mont.; Harry L. Slack, clerk, Butte, Mont.; Albert Stack, fireman, Butte, Mont.; Chas. E. Thompson, fireman, Butte, Mont.; Milton Valentine, laborer, Anaconda, Mont.; Edw. R. Walsh, boiler-maker, Butte, Mont.; Jas. W. Weaver, clerk, Easton, Pa.; Harry A. White, student, Butte, Mont.; Winnie Whitely, brakeman, Butte, Mont.; Jos. A. Wright, smelterman, Butte, Mont.; Zuar S. Wright, machinist, Butte, Mont.

#### Discharged.

Charles Gardner, Capt., Butte, Mont. Salesman. By order, Jan. 6, 1899.

Wm. F. McGrath, First Lt., Butte, Mont. Policeman. By order, Jan. 6, 1899.

Charles French, First Lt., Great Falls, Mont. Contractor. By order July 20, 1899. Capt Co. H, Thirty-sixth U. S. V.

John McAuley, Serg., Manila, P. I. Laborer. By order, July 19, 1899.

Frank S. O'Neill, Mus. Manila, P. I. Miner. By order, July 3, 1899. Thirty-sixth U. S. V.

Charles Foote, Wagoner, Manila, P. I. Carpenter. By order, August 19, 1899.

William Black, Butte, Mont. Laborer. Disability, June 8, 1899.

Charles Buchanan, Manila, P. I. Miner. By order, August 19, 1899.

Ralph Evans, Manila, P. I. Laborer. By order, Aug. 12, '99. Thirty-sixth U. S. V.

James P. Green, Butte, Mont. Blacksmith. By order, October 6, 1899.

Thomas Joyce, Manila, P. I. Teamster. By order, August 19, 1899.

Peter Kelly, Butte, Mont. Assayer. By order, June 9, 1899.

Charles Kerr, San Francisco, Cal. Butcher. By order, August 31, 1899.

Thomas J. Mullaney, Manila, P. I. Miner. By order, August 19, 1899.

John B. McLeod, Butte, Mont. Miner. By order, August 31, 1899.

Myles J. O'Connor, Manila, P. I. Miner. By order, July 3, 1899. Thirty-sixth U. S. V.

John Percell, Oakland, Cal. Plumber. By order, June 28, 1898.

Louis Semple, Manila, P. I. Clerk. By order, August 19, 1899.

Irving C. Smith, Manila, P. I. By order, August 19, 1899.

James Tierney, Butte, Mont. Miner. Disability, August 18, 1899.

Joseph Corby, transferred second lieutenant, Butte, Mont., engineer, to battalion adjutant, September 29, 1899; E. V. D. Murphy, first sergeant, Manila, P. I., accountant to second lieutenant Company G, January 7, 1899; Timothy J. McAuliff, sergeant, Butte, Mont., miner to Company F, July 28, 1899; John R. Ross, artificer, Butte, Mont., blacksmith to Company C, June 22, 1898; Charles C. Cline, Stockton, Cal., blacksmith to Hospital Corps, June 14, 1898; Frank Hawkins, Butte, Mont., sailor to regimental band, July 6, 1898; Martin K. Hyman, Butte, Mont., cook to Company K, August 5, 1898; Warner A. Jennings, Townsend, Mont., teacher to Hospital Corps, June 17, 1898; John H. McPherson, Butte, Mont., silversmith to Regimental Band, June 6, 1898; Edw. T. Moran, Butte, Mont., clerk to Company C, June 22, 1898; Irving C. Smith, Butte, Mont., assayer to Company C, June 22, 1898; Harry B. Stevens, Butte, Mont., miner to Regimental Band, June 6, 1898.

#### Wounded.

Everett L. Metcalf, quartermaster sergeant, wounded at Caloocan, P. I., in left arm, February 10, 1899; Charles Brinton, wounded at Caloocan, P. I., in left arm, February 10, 1899; Andrew Davis, wounded at Calumpit, P. I., in left cheek, April 26, 1899; Martin Hyman, wounded at Caloocan, P. I., in right leg, February 23, 1899; Edw. Morrissey, wounded near Polo, P. I., in left arm, March 26, 1899; Harry Slack, wounded at Caloocan, P. I., in left hip, February 10, 1899; James Tierney, wounded near Apalit, P. I., in right thigh, April 27, 1899; Joseph A. Wright, wounded at Malolos, P. I., in left leg, April 13, 1899.

#### Deserted.

Patrick Haggerty, deserted at San Francisco, Cal., June 23, 1898.



## Dead.

Thomas C. Anderson, sergeant, killed in action near Calumpit, April 26, 1899.

## Co. A—FIRST BATTALION.

John F. Mercer, captain, civil engineer, Helena, Mont.; Valentine Laubenheimer, first lieutenant, stenographer, Great Falls, Mont.; Chas. W. Lane, second lieutenant, accountant, Butte, Mont.; Chas. S. Hoermann, first sergeant, printer, Dubuque, Iowa; Emmett L. Hawkins, quartermaster sergeant, tinner, Great Falls, Mont.; Edwin G. Cornelius, sergeant, stage mechanic, Great Falls, Mont.; Geo. W. Boardman, sergeant, laborer, Great Falls, Mont.; Wm. H. Tolbert, sergeant, mechanic, Great Falls, Mont.; Peter Peterson, sergeant, miner, Great Falls, Mont.; Albert G. Gray, corporal, bookkeeper, Great Falls, Mont.; David A. Bruneau, corporal, clerk, Great Falls, Mont.; Harry L. Price, corporal, clerk, Great Falls, Mont.; Hugh M. Jones, corporal, clerk, Great Falls, Mont.; Alois Klauer, corporal, bookkeeper, Dubuque, Iowa; Edw. J. Sayler, corporal, student, Great Falls, Mont.; Seth H. Dibble, musician, student, Great Falls, Mont.; Frank Bates, cook, machinist, Great Falls, Mont.; Edgar J. Thompson, musician, bricklayer, Cresco, Iowa; Ira O. Black, artificer, carpenter, Great Falls, Mont.; John F. Ferguson, wagoner, engineer, Great Falls, Mont.

Privates: Gunder Ammondson, engineer, Great Falls, Mont.; Francis G. Anspach, student, Great Falls, Mont.; Harry R. Athey, student, Great Falls, Mont.; John A. Best, barber, Dillon, Mont.; John E. Blair, clerk, Great Falls, Mont.; Darwin R. Boots, abstractor, Great Falls, Mont.; Oliver M. Bowen, cook, Great Falls, Mont.; Wm. R. Brown, laborer, Great Falls, Mont.; John C. Bullard, musician, St. Paul, Minn.; Sherman A. Burger, teamster, Great Falls, Mont.; Lynn C. Chamberlain, student, Great Falls, Mont.; Adolph T. Charette, bookkeeper, Great Falls, Mont.; Wm. E. Charette, carpenter, Great Falls, Mont.; Maurice T. Comstock, railroadman, Morehead, Minn.; Roger Curry, laborer, Great Falls,

Mont.; Seymour W. B. Curry, laborer, Great Falls, Mont.; Walter M. Dannat, fireman, Great Falls, Mont.; Lemuel F. Depew, student, Great Falls, Mont.; Fred. W. Dow, merchant, Great Falls, Mont.; Walter H. Earll, smelterman, Great Falls, Mont.; Howard Ellis, farmer, Great Falls, Mont.; Calvin A. Everhart, clerk, Martinsburg, Penn.; Walter J. Forster, student, Great Falls, Mont.; Francis J. Gray, fireman, Great Falls, Mont.; Thomas F. Hodges, news agent, Great Falls, Mont.; John R. Irwin, painter, Great Falls, Mont.; Scott Jones, cook, Waukon, Iowa; Fred F. Knight, brakeman, New Orleans, La.; Peter Kommers, laborer, Waverly, Minn.; Edw. J. Kurz, laborer, Iowa City, Iowa; Arthur D. Lambie, laborer, Great Falls, Mont.; Addison R. Lancaster, laborer, Great Falls, Mont.; Jay D. Moore, student, Great Falls, Mont.; Alonzo R. Morrison, engineer, Great Falls, Mont.; Walter Morrison, laborer, Great Falls, Mont.; Patrick M. Murphy, laborer, Great Falls, Mont.; Simon D. Murray, miner, Great Falls, Mont.; Otto Nelson, carpenter, Green Bay, Wis.; Moritz C. Newman, brakeman, Great Falls, Mont.; Elton Nunn, ranger, Sand Coulee, Mont.; Alvin F. Plottner, barber, Great Falls, Mont.; Fred E. Powell, jeweler, Great Falls, Mont.; Wm. Radis, farmer, Great Falls, Mont.; Robt. S. Rothweiler, laborer, Great Falls, Mont.; John W. Shannon, book agent, Great Falls, Mont.; Casper Shog, laborer, Great Falls, Mont.; Samuel D. Webb, laborer, Great Falls, Mont.; Jas. L. Young, cook, Great Falls, Mont.

## Discharged.

John F. Moran, captain, Manila, P. I., clerk, by order, August 16, 1899, captain Company F, Thirty-seventh U. S. V.; Thos. P. A. Howe, first sergeant, Manila, P. I., civil engineer, by order, August 15, 1899, Thirty-seventh U. S. V.; Stuart H. Reid, sergeant, Great Falls, Mont., clerk, by order, April 4, 1899; John T. Conrey, Manila, P. I., bartender, by order, July 4, 1899, Thirty-sixth U. S. V.; Patrick Derrig, Great Falls, Mont., machinist, disability, March 7, 1899; Harry A. Elliott, Great Falls, Mont., teamster, disability, January 22,

1899; Robt. S. Matheson, Manila, P. I., fireman, by order, August 16, 1899; Robt. H. McCormick, Great Falls, Mont., journalist, by order, April 17, 1899; Timothy F. McDonald, Manila, P. I., laborer, by order, July 10, 1889, Thirty-sixth U. S. V.; Jas. B. Shaw, Manila, P. I., printer, by order, August 16, 1899.

#### Promotions.

Clarence I. Boardman, second lieutenant, Great Falls, Mont., lawyer, to first lieutenant Company B, January 23, 1899; Geo. E. Kumpe, sergeant, Great Falls, Mont., druggist, to first lieutenant, Company K, March 23, 1899.

#### Transferred.

Chas. French, first lieutenant, Manila, P. I., contractor, to first lieutenant Company B, July 9, 1899; Clarence G. Briggs, Great Falls, Mont., smelterman, to Regimental Band, September 10, 1898; Oliver M. Ross, Great Falls, Mont., boilermaker, to Regimental Band, June 6, 1898; John E. Strain, Great Falls, Mont., merchant, to Hospital Corps, June 14, 1898; Walter L. Verge, Great Falls, Mont., clerk, to Regimental Band, June 6, 1898.

#### Wounded.

Geo. W. Boardman, sergeant, wounded at Caloocan, P. I., in knee February 10, 1899, and at San Fernando, P. I., in lip June 16, 1899; Wm. H. Tolbert, sergeant, wounded near Bocaue, P. I., in right wrist, March 28, 1899; David A. Bruneau, corporal, wounded at Caloocan, P. I., in face, February 10, 1899; Seth H. Dibble, musician, wounded at Caloocan, P. I., in both legs, February 10, 1899; Francis A. Anspach, wounded at Caloocan, P. I., in neck, February 24, 1899; Harry R. Athey, wounded at Polo, P. I., in left thigh, March 26, 1899; John C. Bullard, wounded at Caloocan, P. I., in face, February 10, 1899; Adolph T. Charette, wounded at Caloocan, P. I., in hand, February 10, 1899; Otto Nelson, wounded at Caloocan, P. I., in shoulder, February 23, 1899; Alvin F. Plottner, wounded at Caloocan, P. I., in right shoulder, February 28, 1899; John W. Shannon,

wounded at Caloocan, P. I., in right buttock, February 23, 1899.

#### Dead.

John C. Adams, artificer, died at Cavite of typhoid fever, September 2, 1898; Henry C. Beecher, killed in action at Caloocan, P. I., March 15, 1899; Daniel McElliot, died at Cavite, P. I., of dysentery, October 22, 1898; Cary A. Sayler, died at Cavite, P. I., of typhoid fever, September 5, 1898.

#### CO. K—SECOND BATTALION.

Thomas S. Dillon, captain, soldier, Anaconda, Mont.; George E. Kumpe, first lieutenant, druggist, Great Falls, Mont.; Arthur W. Stoddard, second lieutenant, merchant, Lewistown, Mont.; Patrick McBride, first sergeant, laborer, Anaconda, Mont.; Barney Marron, quartermaster sergeant, laborer, Anaconda, Mont.; Patrick Culleton, sergeant, laborer, Anaconda, Mont.; John F. Corrigan, sergeant, soldier, Anaconda, Mont.; John Reiley, sergeant, laborer, Anaconda, Mont.; William Lyons, sergeant, laborer, Anaconda, Mont.; Harold H. Tonseth, corporal, clerk, Portland, Ore.; James Fitzpatrick, corporal, laborer, Anaconda, Mont.; Frank P. Burke, corporal, refiner, Anaconda, Mont.; James R. Fitzpatrick, corporal, laborer, Anaconda, Mont.; John Alexander, corporal, fireman, Anaconda, Mont.; Edward Heafy, corporal, laborer, Anaconda, Mont.; Thomas Williams, cook, brakeman, Anaconda, Mont.; Austin O'Malley, wagoner, laborer, Anaconda, Mont.

Privates: Gustaf Ahlgren, laborer, Anaconda, Mont.; Bruce F. Belknap, laborer, Valley City, Wash.; Henry Bell, baker, Anaconda, Mont.; Herman Blank, shinglemaker, Neenagh, Wis.; George D. Brown, engineer, Anaconda, Mont.; Harry Burleigh, cook, Huntington, Penn.; James T. Cannon, laborer, Cresco, Iowa; James Conlon, laborer, Anaconda, Mont.; Francis Corrigan, laborer, Anaconda, Mont.; Earl Daugherty, fireman, Sharon, Pa.; Joseph M. Devine, clerk, Peru, Ind.; George C. Douglas, laborer, Anaconda, Mont.; Patrick Duffy, smelterman, Anaconda,

Mont.; Frank Faley, laborer, Anaconda, Mont.; Thomas Feeney, laborer, Hollville, Ind.; James Garvey, laborer, Anaconda, Mont.; James Golden, laborer, Anaconda, Mont.; Frank Goldsworthy, laborer, Lake Linden, Mich.; Walter Green, cook, Anaconda, Mont.; Frederick C. Greene, harness maker, Lake Linden, Mich.; John Hagar, cook, Anaconda, Mont.; Paul Harmon, waiter, Anaconda, Mont.; Lawrence Keegan, laborer, Anaconda, Mont.; John Kiely, laborer, Anaconda, Mont.; Carl G. Killinger, carpenter, Peru, Ind.; John Kirley, miner, Anaconda, Mont.; Patrick McCollum, laborer, Anaconda, Mont.; James McDevitt, miner, Anaconda, Mont.; Barney McKittrick, laborer, Anaconda, Mont.; Robert Murphy, miner, Denver, Colo.; John Newman, miner, Anaconda, Mont.; Paul E. Nicholas, clerk, Spirit Lake, Iowa; Hugh Rafferty, laborer, Anaconda, Mont.; Richard S. Ryan, laborer, Anaconda, Mont.; John Smith, laborer, Anaconda, Mont.; Frank J. Smyth, laborer, Anaconda, Mont.; Howard L. Tanner, brakeman, Volney, Iowa; John J. Tierney, laborer, St. Paul, Minn.; Clemson Underwood, laborer, Anaconda, Mont.; Henry Watt, rancher, Anaconda, Mont.

#### Discharged.

Jacob M. Kennedy, first lieutenant, Anaconda, Mont., journalist, resigned, December 31, 1898; Michael Barry, sergeant, Manila, P. I., laborer by order, July 1, 1899, re-enlisted Thirty-sixth U. S. V.; John Cavin, corporal, Manila, P. I., butcher, by order, July 1, 1899; Thomas A. O'Toole, corporal, Manila, P. I., laborer, by order, August 13, 1899, re-enlisted Thirty-seventh U. S. V.; Henry Bode, musician, Honolulu, H. I., sailor, by order, August 3, 1899; Joseph E. Jette, musician, Anaconda, Mont., laborer, disability, September 5, 1899; John Clinton, artificer, Anaconda, Mont., electrician, disability, August 22, 1899; William A. Brown, Manila, P. I., miner, by order, July 1, 1899, re-enlisted Thirty-sixth U. S. V.; Hoyt B. Cooper, Anaconda, Mont., cook, disability, August 17, 1889; John Donohue, Anaconda, Mont., plumber, disability,

January 21, 1899; Michael Fitzgerald, Manila, P. I., motorman, by order, July 1, 1899, re-enlisted Thirty-sixth U. S. V.; Martin K. Hyman, Anaconda, Mont., cook, by order, August 18, 1899; Lawrence Keenan, Anaconda, Mont., labor, disability, August 17, 1899; John Kerrigan, Manila, P. I., laborer, by order, July 1, 1899, re-enlisted Thirty-seventh U. S. V.; Thomas Malloy, Anaconda, Mont., laborer, disability, July 3, 1899; James W. Reed, Anaconda, Mont.; cook, by order, August 18, 1899; Robert M. Richwine, Manila, P. I., peddler, by order, July 16, 1899, re-enlisted Thirty-seventh U. S. V.; John P. Rowan, Anaconda, Mont., cook, by order, October 6, 1898.

#### Transferred.

Philip Greenan, first lieutenant, Anaconda, Mont., merchant, to captain, Company L, August 2, 1899; Myles Kelly, second lieutenant, Anaconda, Mont., laborer, to first lieutenant, Company H, January 24, 1899; Arthur O'Leary, corporal, Anaconda, Mont., student, to first lieutenant, Company M, January 24, 1899; Herman Fashman, Loraine, Ohio, machinist, to Regimental Band, June 29, 1898; Martin K. Hyman, Anaconda, Mont., cook, to Company B, September 3, 1899; Robert Lennington, Anaconda, Mont., carpenter, to Hospital Corps, May 11, 1898; Albert D. McNeal, Anaconda, Mont., cook, to Hospital Corps, June 11, 1898; Jeremiah Mahoney, Anaconda, Mont., barber, to Company C, October 7, 1898.

#### Deserted.

Richard C. Burke, musician, laborer, Anaconda, Mont.

#### Wounded.

Thomas S. Dillon, captain, wounded in left side, near Santo Tomas, P. I., May 4, 1899; Philip Greenan, first lieutenant, wounded in right side, at Caloocan, P. I., February 23, 1899; Patrick McBride, first sergeant, wounded in chest and right arm, at San Fernando, P. I., May 8, 1899; Bruce F. Belknap, wounded in left breast, near Santo Tomas,



P. I., May 4, 1899; Joseph E. Jette, wounded in left shoulder, at Bagbag river, P. I., April 25, 1899; Lawrence Keenan, wounded in right lung, near Meycauyan, P. I., March 27, 1899; John Kirley, wounded in right shoulder, at Apalit, P. I., April 27, 1899; Thomas Malloy, wounded in left shoulder, at Caloocan, P. I., February 10, 1899; Robert Murphy, wounded in right shoulder, near Apalit, P. I., April 27, 1899; Howard L. Tanner, wounded in left leg, at Caloocan, P. I., February 28, 1899; John J. Tierney, wounded in left thigh, near Meycauyan, P. I., March 27, 1899.

#### Dead.

James A. Callahan, killed in action, near Calumpit, P. I., April 26, 1899; Michael Corrigan, died of dysentery, at Manila, P. I., July 15, 1899; Charles A. Kaiser, died of typhoid fever, at Manila, P. I., April 8, 1899; James Kennedy, drowned in Bagbag river, P. I., April 25, 1899; Thomas Scallon, killed in action, near Santo Tomas, P. I., May 4, 1899.

#### CO. C—SECOND BATTALION.

Walter J. Bradshaw, captain, civil engineer, Helena, Mont.; Wm. H. Poorman, first lieutenant, lawyer, Livingston, Mont.; Chas. H. Virden, second lieutenant, carpenter, Dillon, Mont.; Robert H. Sprague, first sergeant, farmer, Bozeman, Mont.; Andrew C. Harding, quarter master sergeant, farmer, Bozeman, Mont.; Rthesis Fransham, sergeant, clerk, Bozeman, Mont.; Jas. S. Dolliver, sergeant, printer, South Framingham, Mass.; Edw. M. Reynolds, sergeant, teamster, Bozeman, Mont.; Chas. J. Lisle, sergeant, printer, Long Pine, Neb.; Ernest E. Paddock, corporal, student, Leadville, Colo.; Comly T. Heaton, corporal, laborer, Smithfield, Ohio; Jos. Morgan, corporal, farmer, Bozeman, Wm. H. Owen, corporal, miner, Bozeman, Mont.; Lauriston Cruttenden, corporal, farmer, Canyon Ferry, Mont.; Oscar G. Hodson, corporal, miner, Bozeman, Mont.; Wm. Kinkade, cook, cook, Bozeman, Mont.; Fred Lytle, musician, jeweler, Bozeman, Mont.; Theo. Volkey, musician, clerk, Helena, Mont.;

Daniel Paling, artificer, farmer, Logan, Mont.; John R. B. Cheney, wagoner, farmer, Bozeman, Mont.

Privates: Victor H. Adams, blacksmith, Bozeman, Mont.; Leon V. Alexander, laborer, Bozeman, Mont.; Chauncey T. Boswell, miner, Seattle, Wash.; Parker Brown, farmer, Bozeman, Mont.; Branson B. DeHart, miner, Livingston, Mont.; John F. Dunn, printer, Helena, Mont.; Robt. Fogle, farmer, Bozeman, Mont.; Andrew Hogstrom, shoemaker, Butte, Mont.; Wm. P. Hayes, cigarmaker, Bozeman, Mont.; Frank Hobert, teamster, Bozeman, Mont.; Amos A. Hogeland, laborer, Bozeman, Mont.; Geo. L. Hyatt, miner, Helena, Mont.; Louis Kraus, nurse, Missoula, Mont.; Frank Leonard, butcher, Chicago, Ill.; John McLaughlin, blacksmith, Winston, Mont.; Wm. McManus, farmer, Bozeman, Mont.; John P. Molitor, miner, Cinnabar, Mont.; Warren J. Morris, farmer, Nevada, Mo.; Lester L. Pierstorff, clerk, Bozeman, Mont.; Edw. S. Pollard, miner, Townsend, Mont.; Harry Ponsford, electrician, Bozeman, Mont.; Geo. W. Post, farmer, Bozeman, Mont.; Frank E. Price, cook, Helena, Mont.; Emroy Ricketts, blacksmith, Livingston, Mont.; Merton L. Rowley, miner, Winston, Mont.; Theo. Schuele, miner, Topeka, Kas.; Fred D. Schwietering, farmer, Bozeman, Mont.; John T. Wickham, herder, Boulder, Mont.; Clemens Wiese, painter, Bozeman, Mont.

#### Discharged.

Daniel T. Bowman, Manila, P. I., clerk, by order, July 2, 1899, re-enlisted first lieutenant Thirty-seventh U. S. V.; Edw. P. Brown, Nagasaki, Japan, shoemaker, disability, December 15, 1898; James W. Cameron, Bozeman, Mont., farmer, disability, August 31, 1899; Daniel Coryell, Manila, P. I., farmer, by order, August 19, 1899; Fritz Esselborn, Manila, P. I., blacksmith, by order, July 2, 1899, re-enlisted Thirty-sixth U. S. V.; Edw. M. Gould, Helena, Mont., fireman, disability, April 3, 1899; Harry B. Gray, Bozeman, Mont., clerk, disability, August 15, 1899; Albert S. Hicks, Livingston, Mont., clerk, dis-

ability, August 21, 1899; Glen Hurd, Manila, P. I., teamster, by order, July 2, 1899, re-enlisted Thirty-seventh U. S. V.; Martin Keough, Great Falls, Mont., brakeman, disability, August 31, 1899; Robt. Mahaffy, Manila, P. I., coachman, by order, August 5, 1899, re-enlisted Thirty-seventh U. S. V.; Jeremiah F. Mahoney, Omaha, Neb., barber, by order, December 15, 1898; Henry Miller, Bozeman, Mont., laborer, disability, July 26, 1899; Gottlieb Molcon, Manila, P. I., laborer, by order, July 2, 1899, re-enlisted Thirty-seventh U. S. V.; Edw. T. Moran, Butte, Mont., clerk, by order, August 6, 1898; Peter Norve, Helena, Mont., laborer, disability, August 18, 1899; Harry C. Patterson, Bozeman, Mont., student, disability, September 30, 1898; Jas. P. Phelan, Manila, P. I., farmer, by order, August 5, 1899, re-enlisted Thirty-seventh U. S. V.; Geo. Reynolds, Manila, P. I., herder, by order, July 2, 1899, re-enlisted Thirty-sixth U. S. V.; Wm. Seaman, Bozeman, Mont., laborer, disability, March 7, 1899; Fred W. Smith, Manila, P. I., engineer, by order, July 4, 1899, re-enlisted Thirty-sixth U. S. V.; Fred W. Smith, Helena, Mont., teamster, disability, November 25, 1898; Harry A. Summers, Manila, P. I., bartender, by order, August 4, 1899, re-enlisted Thirty-seventh U. S. V.; Frank Thomas, Manila, P. I., laborer, by order, July 2, 1899, re-enlisted Thirty-seventh U. S. V.

#### Promoted.

Jas. F. Keown, captain, Bozeman, Mont., farmer, to major, August 5, 1899; John F. Mercer, first lieutenant, Helena, Mont., civil engineer, to captain Company A, August 17, 1899; Alex. Wessitsh, first sergeant, Bozeman, Mont., clerk, to second lieutenant Company I, September 28, 1899; Arthur W. Church, sergeant, Helena, Mont., salesman, to second lieutenant Company L, August 3, 1899; Lloyd R. Hood, sergeant, Bozeman, Mont., salesman, to reg. quartermaster sergeant, July 24, 1899; Edmund G. High, Butte, Mont., druggist, to hospital steward, March 28, 1899; Valentine Laubenheimer, Great

Falls, Mont., stenographer, to first lieutenant, Company A, January 24, 1899.

#### Transferred.

Ernest V. D. Murphy, corporal, Manila, P. I., accountant, to Company B, June 22, 1898; Geo. W. Ingram, Helena, Mont., laborer, to Company L, September 14, 1898; John Kerrigan, Manila, P. I., laborer, to Company K, October 7, 1898; Daniel J. Monroe, Butte, Mont., miner, to Company B, June 22, 1898; Myles O'Connor, Butte, Mont., miner, to Company B, December 21, 1898; Chas. S. Patterson, Bozeman, Mont., student, to Hospital Corps, June 14, 1898; John R. Ross, Butte, Mont., blacksmith, to Company G, August 5, 1899; Chas. F. Smith, Lewistown, Mont., printer, to Company I, June 22, 1898; Irving C. Smith, Butte, Mont., assayer, to Company B, July 14, 1899; Chas. D. Tomlinson, Augusta, Mont., musician, to Reg. Band, June 6, 1898.

#### Wounded.

John F. Dunn, wounded in left thigh and left wrist, at Caloocan, P. I., February 23, 1899; Albert S. Hicks, wounded in left shoulder, at Caloocan, P. I., February 24, 1899; Glen Hurd, wounded in left instep, at Caloocan, P. I., February 23, 1899; Gottlieb Molcon, wounded in right arm, near Apalit, P. I., April 27, 1899; Warren Morris, wounded in left side, at San Fernando, P. I., June 16, 1899; Theo. Schuele, wounded in back, at San Fernando, P. I., June 3, 1899; Fred W. Smith, wounded in left cheek near Santo Tomas, P. I., May 4, 1899; Theo. Volkey, musician, wounded in neck and left shoulder, near Meycauayan, P. I., March 27, 1899; L. L. Pierstorff, wounded in defense of Manila, P. I., February 5, 1899.

#### Dead.

Frank A. Camp, died of empyema, at San Francisco, Cal., July 16, 1898; Jos. Marx, died of smallpox, at Manila, P. I., March 5, 1899; Dickson W. Weeden, died of typhoid fever, at Cavite, P. I., August 18, 1899.

## Co. L—SECOND BATTALION.

Philip Greenan, captain, merchant, Anaconda, Mont.; Fred. S. Yaeger, first lieutenant, dentist, Helena, Mont.; Arthur W. Church, second lieutenant, engineer, Helena, Mont.; Thomas B. Stephens, sergeant, clerk, Helena, Mont.; Charles R. Sutton, quarter master sergeant, insurance agent, Helena, Mont.; Charles L. Moore, sergeant, lawyer, Helena, Mont.; Guy W. Hassler, lawyer, Helena, Mont.; Alex. Goodman, sergeant, clerk, Helena, Mont.; William A. Steadman, sergeant, machinist, East Helena, Mont.; Harry Younglove, corporal, conductor, Milan, Mich.; Mark T. Good, corporal, teamster, Helena, Mont.; Julius Barney, corporal, clerk, Helena, Mont.; Stephen J. Murphy, corporal, farmer, Helena, Mont.; Edw. A. Meyers, corporal, engineer, Helena, Mont.; David Hanley, corporal, carpenter, Helena, Mont.; William L. Kindall, cook, laborer, Helena, Mont.; Harry S. Strong, artificer, machinist, Helena, Mont.; David F. Eyerly, wagoner, carpenter, Sumas City, Wash.

Privates: John Baas, laborer, Helena, Mont.; Robert Bridgens, laborer, Canyon Ferry, Mont.; William L. Briggs, engineer, Milan, Mich.; Ralph Bushnell, butcher, Twin Bridges, Mont.; James Browning, butcher, Ogden, Utah; Donald Cameron, carpenter, Helena, Mont.; Eugene E. Clark, brakeman, Los Angeles, Cal.; Edw. Costello, blacksmith, Helena, Mont.; George Daigh, farmer, Ashton, W. Va.; Oscar A. Fallang, farmer, Melrose, Mont.; John Fennell, farmer, Brooklyn, N. Y.; Patrick Flynn, miner, Butte, Mont.; Oscar B. Hallpeter, electrician, Norwalk, Ohio; George Haynes, clerk, San Francisco, Cal.; John S. Herald, miner, Helena, Mont.; Joseph D. Hoffman, clerk, Hudson, Wis.; Barney Hogan, miner, El Paso, Wis.; Frank M. Kline, liquor-dealer, Big Timber, Mont.; Emery B. Lacy, telegraph operator, Prairie du Chien, Wis.; Thomas H. Larkin, lawyer, St. Louis, Mo.; Frank Lessinger, laborer, Utica, N. Y.; Hugh McGee, cook, Helena, Mont.; Andrew McGinnis, upholsterer, Hel-

ena, Mont.; Napoleon Monroe, clerk, Helena, Mont.; Daniel C. Mosier, engineer, Helena, Mont.; Andrew Nelson, laborer, Helena, Mont.; Edw. C. O'Brien, laborer, Helena, Mont.; Daniel Olson, laborer, East Helena, Mont.; Frank Peterson, miner, Ironwood, Mont.; George Pitcher, painter, Big Timber, Mont.; Samuel F. Price, brakeman, Helena, Mont.; G. W. Shepard, miner, Helena, Mont.; Alfred F. Sibley, florist, Weston, Mass.; August Streit, musician, Helena, Mont.; Geo. Townsend, farmer, Faribault, Minn.; Bird C. Vestal, laborer, Big Timber, Mont.; Walter L. Whann, miner, Helena, Mont.

## Discharged.

Theron M. Ripley, sergeant, Helena, Mont., civil engineer, by order, August 18, 1899; Hobert H. Hawkins, sergeant, Manila, P. I., butcher, by order, August 13, 1899, re-enlisted Thirty-seventh U. S. V.; Charles Albrecht, corporal, Helena, Mont., clerk, by order, August 26, 1898; Thomas J. McLaughlin, corporal, Manila, P. I., miner, by order, August 18, 1899; Robert Ormiston, corporal, Helena, Mont., farmer, by order, August 31, 1899; Eustice Wheeler, corporal, Helena, Mont., lawyer, by order, June 5, 1898; George W. Ingram, musician, Helena, Mont., laborer, by order, August 18, 1899; Hans M. Wegener, corporal, Helena, Mont., photographer, by order, August 18, 1899; Frank Monroe, wagoner, Helena, Mont.; merchant, by order, August 18, 1899; John P. Bahnsen, Helena, Mont., plumber, August 17, 1899; Kerr Beadle, Helena, Mont., miner, by order, July 14, 1898; Michael Bennett, Helena, Mont., butcher, by order, August 31, 1899; William H. Plashill, Manila, P. I., butcher, by order, August 18, 1899; George Brown, San Francisco, laborer, by order, July 15, 1898; Austin D. Butler, Helena, Mont., carpenter, by order, May 7, 1899; Thomas P. Dunn, Helena, Mont., barber, disability, July 3, 1899; Jacob Goodman, Helena, Mont., merchant, by order, June 7, 1898; Frank Henry, San Francisco, Cal., cook, by order, July 26, 1898; Severet Johnson, Helena, Mont., cook, by or-



der, August 3, 1899; John F. King, Helena, Mont., laborer, by order, August 31, 1899; John Mazanec, Helena, Mont., laborer, by order, August 31, 1899; John F. King, Helena, Mont., teamster, disability, June 21, 1899; Linford Seeley, Helena, Mont., carpenter, by order, August 31, 1899; Arthur W. Smith, Helena, Mont., clerk, by order, April 10, 1899; Frank Stursa, Helena, Mont., butcher, by order, June 10, 1899; William Thefault, Helena, Mont., laborer, disability, April 27, 1899; George E. Walker, Manila, P. I., miner, by order, August 18, 1899.

#### Transferred.

Asa L. Fisk, Helena, Mont., printer, to Regimental Band, June 4, 1898; Fred Peterson, Helena, Mont., nurse, to Hospital Corps, June 19, 1898.

#### Promoted.

Asa L. Duncan, captain, Missoula, Mont., lawyer, to major, August 1, 1899; Walter J. Bradshaw, first lieutenant, Helena, Mont., civil engineer, to captain, Company C, August 4, 1899; William B. Hanna, sergeant, Manila, P. I., accountant, to first lieutenant and battalion adjutant, June 2, 1898.

#### Wounded.

William A. Steadman, corporal, wounded in left thigh, at Caloocan, P. I., February 23, 1899; Thomas P. Dunn, wounded in head, at Caloocan, P. I., February 22, 1899.

#### Dead.

Eugene S. French, second lieutenant, killed in action at Caloocan, P. I., February 23, 1899; Owen H. Rowland, corporal, killed in action, near Malolos, P. I., April 4, 1899; Walter J. McLean, died of typhoid fever at Cavite, P. I., October 28, 1898; John Sorenson, died of wounds, at Manila, P. I., February 20, 1899.

#### Co. H—SECOND BATTALION.

Samuel Hilburn, captain, accountant, Kalispell, Mont.; Myles Kelly, first lieutenant, smelterman, Anaconda, Mont.; Andrew W. Swaney, second lieutenant, farmer, Kalispell,

Mont.; August C. Lagoni, first sergeant, farmer, Kalispell, Mont.; James F. Johnson, quarter master sergeant, boatman, Brooklyn, N. Y.; Albert Breedlove, sergeant, clerk, Kalispell, Mont.; James A. Coulter, sergeant, student, Grand Forks, N. D.; George C. McCauley, sergeant, carpenter, Kalispell, Mont.; Albert Ingraham, sergeant, farmer, Kalispell, Mont.; Joseph E. Ritchey, corporal, clerk, Kalispell, Mont.; Benjamin A. Green, corporal, student, Kalispell, Mont.; John W. Kneiff, corporal, contractor, Kalispell, Mont.; Charles E. Forbes, corporal, farmer, Kalispell, Mont.; Charles F. Meyers, corporal, farmer, Columbia Falls, Mont.; Edward S. Green, cook, carpenter, St. Peter, Minn.; Ralph C. Kirkland, musician, harness-maker, Kalispell, Mont.; William A. Patton, musician, laborer, Colorado Springs, Colo.; Henry Loewe, artificer, cigarmaker, Kalispell, Mont.; Hugh W. McCauley, wagoner, carpenter, Kalispell, Mont.

Privates: Henry Bird, farmer, Kalispell, Mont.; Rodney W. Bradley, laborer, Kalispell, Mont.; Isaac M. Chance, glassblower, Kalispell, Mont.; Birt B. Curtis, farmer, Kalispell, Mont.; Charles G. Dick, printer, Blackfoot, Idaho, John Gilmore, laborer, Helena, Mont.; Henry C. Gould, laborer, Kalispell, Mont.; Silas Gould, carpenter, Kalispell, Falls, Mont.; Swan Halleen, teamster, Elk Falls, Mont.; Swan Halleen, teamster, Elk Park, S. D.; George W. Hatt, barber, Wilmington, Ohio; James J. Hayes, hotel-keeper, Troy, Mont.; Oscar Herbert, miner, Sand Coulee, Mont.; Arnt Hogan, blacksmith, Kalispell, Mont.; Willard Hallowell, laborer, Rockford, Ohio; Thomas Howard, shoemaker, Kalispell, Mont.; Joseph D. Isaacs, laborer, Great Falls, Mont.; Mathias Irverson, laborer, Kalispell, Mont.; Charles F. Jewell, laborer, Kalispell, Mont.; Leroy H. Johnstone, railroadman, Truro, N. D.; Theodore Knutson, miner, Bining, Minn.; James K. Lang, accountant, Kalispell, Mont.; Hans C. Mamen, laborer, Kalispell, Mont.; Fred Meiers, butcher, Kalispell, Mont.; David Nelson, carpenter, Kalispell, Mont.; Charles A. Ovelman, laborer, Kalis-

pell, Mont.; Clarence Poole, farmer, Kalispell, Mont.; Patrick Rooney, laborer, Brooklyn, N. Y.; George A. Rowland, clerk, San Francisco, Cal.; Joseph H. Shultz, miner, Kalispell, Mont.; Alfred F. Smith, miner, Kalispell, Mont.; Ole Thorson, miner, Libby, Mont.; Joseph Wadsworth, laborer, Kalispell, Mont.; Walter J. Walker, laborer, Columbia Falls, Mont.; John S. Wise, farmer, Columbia Falls, Mont.; Rice Wood, teamster, Arlington, Neb.

#### Discharged.

Soren H. Smith, Corp., Kalispell, Mont., accountant, by order, October 3, 1899.

William Zeller, cook, Manila, P. I., cook, by order, August 17, 1899.

Adelbert R. Burke, musician, Manila, P. I., barber, by order, Aug. 15, 1899. Re-enlisted thirty-seventh U. S. V.

Mark R. Baldwin, Manila, P. I., laborer, by order, August 18, 1899.

Daniel L. Barrett, Kalispell, Mont., engineer, disability, June 24, 1898.

Edward F. Barnett, Chicago, Ill., electrician, by order, August 31, 1899.

George Berry, Kalispell, Mont., baker, disability, September 5, 1899.

Albert H. Buckland, Manila, P. I., civil engineer, by order, August 13, 1899.

Robert R. Case, Manila, P. I., teacher, by order, Aug. 18, 1899.

William H. Doyle, New York City, N. Y., plasterer, by order, January 24, 1899.

Alfred M. Finley, Manila, P. I., sailor, by order, Aug. 19, 1899. Re-enlisted Eleventh Cavalry.

Frank A. Gibson, Manila, P. I., cook, by order, Aug. 18, 1899. Re-enlisted Thirty-seventh U. S. V.

Nels Hansen, Manila, P. I., miner, by order, Aug. 18, 1899.

Charles Jessup, Manila, P. I., laborer, by order, Aug. 9, 1899. Re-enlisted Eleventh Cavalry.

John Nilson, Kalispell, Mont., laborer, by order, Aug. 31, 1899.

Louis Pallat, Columbia Falls, Mont., farmer, disability, Aug. 31, 1899.

Albert R. Peterson, Kalispell, Mont.; fireman, disability, August 31, 1899.

Charles H. Runels, Marseilles, Mich., mason, by order, April 17, 1899.

George L. Stanley, Columbia Falls, Mont., herder, by order, January 25, 1899.

Anton Stromgren, Nelson, B. C., miner, disability, Aug. 31, 1899.

Samuel Swanson, Manila, P. I., miner, by order, Aug. 17, 1899. Re-enlisted Eleventh Cavalry.

Louis Warner, Manila, P. I., miner, by order, Aug. 18, 1899.

#### Transferred.

Frank E. Green, Capt., Manila, P. I., lawyer, to captain, Eleventh Cavalry, August 21, 1899; Byron J. McIntire, 1st Lieut., Manila, P. I., lawyer, to Company G, January 23, 1899; Pinkney M. Thompson, Sergt., Kalispell, Mont., electrician, to Signal Corps, March 18, 1899; Archibald H. Logan, Corp., Helena, Mont., stenographer, to Signal Corps, March 18, 1899; Henry Bode, Honolulu, H. I., sailor, to Company K, October 1, 1898.

#### Wounded.

Myles Kelly, 1st Lieut., wounded in nose and lip, at Tuliahan river, P. I., March 25, 1899; Soren H. Smith, Corp., wounded in left arm, near Bocaue, P. I., March 28, 1899; William A. Patton, musician, wounded in neck, at Bagbag river, P. I., April 25, 1899; Frank A. Gibson, wounded in left leg, near Meycauayan, P. I., March 27, 1899; Charles F. Meyers, wounded in left side, near Bocaue, P. I., March 29, 1899; Louis Pallat, wounded in body, at La Loma church, P. I., March 25, 1899; Charles Runels, wounded in right leg, at Chinese cemetery, P. I., February 5, 1899; George A. Rowland, wounded in left ear, at La Loma church, P. I., February 5, 1899; Alfred F. Smith, wounded in face, near Bocaue, P. I., March 29, 1899.

## Dead.

Frederick Wheaton, died of wounds received in action near Bocaue, P. I., March 30, 1899.

## COMPANY D, THIRD BATTALION.

Geo. W. Reif, Capt., miner, Virginia City, Mont.; Edw. J. Gainan, 1st Lieut., miner, Virginia City, Mont.; Geo. E. Lowman, 2nd Lieut., engineer, Virginia City, Mont.; Jas. M. McClurg, First Sergt., teamster, Virginia City, Mont.; Dean W. Vickers, Q. M. Sergt., laborer, Virginia City, Mont.; Alvah M. Parke, Sergt., miner, Virginia City, Mont.; Jas. W. C. Dennis, Sergt., stockman, Pony, Mont.; Boyd A. Kneedler, Sergt., clerk, Pony, Mont.; Chas. N. Morse, Sergt., miner, Pony, Mont.; Cornelius McClurg, Corp., teamster, Virginia City, Mont.; Grant D. Mathers, Corp., laborer, Sheridan, Mont.; Valentine Gilbert, Corp., laborer, Virginia City, Mont.; Jas. W. Bothwell, Corp., farmer, Sheridan, Mont.; Chas. Kelly, Corp., farmer, Pony, Mont.; Nels Peterson, Corp., miner, Butte, Mont.; Nichols Rider, cook, miner, Pony, Mont.; Stewart R. Champion, musician, teamster, Virginia City, Mont.; Floyd C. Wilson, musician, laborer, St. Paul, Minn.; Frank Mack, artificer, miner, Lexington, Minn.

Privates: Chas. Beckwith, miner, Pony, Mont.; Alonzo L. Blough, miner, Pony, Mont.; John A. Bowman, farmer, Sheridan, Mont.; Jas. M. Box, farmer, Twin Bridges, Mont.; John W. Boyd, laborer, Sheridan, Mont.; Jas. Carlon, farmer, Pony, Mont.; Albert Case, laborer, Virginia City, Mont.; Jos. A. Casebeer, miner, Pony, Mont.; Abraham L. Clem, miner, Sheridan, Mont.; Jas. W. Comley, farmer, Virginia City, Mont.; Chas. M. Edgell, teamster, Twin Bridges, Mont.; Frank Faires, farmer, Salina, Mo.; Jas. Francis, miner, Butte, Mont.; Nazaire Gardner, miner, Virginia City, Mont.; Jefferson G. Garrett, miner, Sheridan, Mont.; Edgar Guidry, cigar-maker, Lafayette Parish, La.; Albert Johnson, miner, Twin Bridges, Mont.; Lucius G. Kellogg, engineer, Virginia City, Mont.; David Kenealy, teamster, Adobetown, Mont.; Fay

Kohls, laborer, Virginia City, Mont.; Berry Knutson, miner, Pony, Mont.; Wm. F. Kramer, laborer, Virginia City, Mont.; Oliver P. Longfellow, teamster, Virginia City, Mont.; Robert Lee; Albert Mack, miner, Lexington, Minn.; Alex. J. McArthur, miner, Twin Bridges, Mont.; Herbert G. McPheters, laborer, Ketchum, Idaho; Julius Moritz, barber, Virginia City, Mont.; Chas. Nacie, teamster, Butte, Mont.; Thos. G. Pasley, farmer, Virginia City, Wash.; Thos. Richards, miner, Butte, Mont.; Wm. Roden, teamster, Butte, Mont.; John R. Rogers, miner, Virginia City, Mont.; Wm. F. Stobie, miner, Lampa, Idaho; Oscar C. Stone, miner, Sheridan, Mont.; Maurice A. Wiles, laborer, Virginia City, Mont.; Perry Wilsey, stockman, Home Park, Mont.; Wm. J. Wammach, miner, Pony, Mont.; Christ. Zigler, laborer, Sheridan, Mont.; Ray Zigler, laborer, Sheridan, Mont.

## Discharged.

Chas. W. Mead, 1st Lieut., Manila, P. I., civil engineer, resigned, July 12, 1899. Re-enlisted captain Thirty-sixth U. S. V.

Almer N. Kellogg, Q. M. Sergt., Manila, P. I., teamster, by order, August 18, 1899.

August L. Romey, Sergt., Virginia City, Mont., mechanic, by order, June 1, 1899.

Albert E. Cole, Corp., Virginia City, Mont., laborer, disability, December 31, 1898.

Richard B. Vickers, Corp., Virginia City, Mont., laborer, by order, August 31, 1899.

George D. Vickers, Corp., Virginia City, Mont., laborer, by order, September 15, 1899.

Clarence E. Wilson, Manila, P. I., printer, by order, August 18, 1899.

Jerome Mayland, artificer, Manila, P. I., mechanic, by order, August 18, 1899.

Jos. W. Black, Pony, Mont., miner, disability, April 21, 1899.

Curtis E. Brooks, Manila, P. I., farmer, by order, July 31, 1899. Re-enlisted Thirty-sixth U. S. V.

Otis Carter, Pony, Mont., miner, by order, April 21, 1899.

Job D. Foster, Manila, P. I., engineer, by order, July 31, 1899. Re-enlisted Thirty-sixth U. S. V.



Berrington P. Gould, Manila, P. I., journalist, by order, July 31, 1899.

Chauncey W. Jackson, Twin Bridges, Mont., teamster, by order, September 18, 1899.

Wm. H. McDonald, Manila, P. I., farmer, by order, July 31, 1899. Re-enlisted Thirty-sixth U. S. V.

Isaac A. Ogden, Manila, P. I., miner, by order, Aug. 18, 1899.

John R. Orth, Manila, P. I., cook, by order, August 18, 1899.

Edward L. Reynolds, Virginia City, Mont., blacksmith, disability, July 26, 1899.

Jos. Sicard, Pony, Mont., miner, by order, August 31, 1899.

Elisha Siprell, Sheridan, Mont., laborer, by order, August 31, 1899.

Jos. A. Spalding, Virginia City, Mont., teamster, disability, April 20, 1899.

Thos. Wilson, Manila, P. I., miner, by order, July 31, 1899. Re-enlisted Thirty-sixth U. S. V.

Transferred.

Geo. B. Mead, Garrison, Mont., barber, to Reg'l. Band, June 9, 1898.

Deserted.

Willard D. Fisher, at Camp Merritt, July 1, 1898.

Wounded.

Geo. E. Lowman, 2nd Lieut., wounded in abdomen at Caloocan, P. I., February 10, 1899; Jas. W. C. Dennis, Sergt., wounded in right buttock, at San Fernando, P. I., June 16, 1899; Jas. M. Box, wounded in left shoulder at Caloocan, P. I., February 10, 1899; Abraham L. Clem, wounded in right thigh, near Bacolor, P. I., June 10, 1899; Wm. F. Kramer, wounded in scalp at Caloocan, P. I., February 23, 1899, and in left knee, near Bacolor, P. I., June 10, 1899; Edward L. Reynolds, wounded in left leg at Caloocan, P. I., February 10, 1899; Thos. Richards, wounded in right thigh at La Loma church, P. I., March 25, 1899.

Dead.

Wm. G. Marshall, died of wounds received in action, near Bocaue, P. I., April 2, 1899.

#### COMPANY G, THIRD BATTALION.

Ellis W. Wynne, Capt., accountant, Butte, Mont.; Alex. Laist, 2nd Lieut., lawyer, Butte, Mont.; Wm. L. Soper, 1st Sergt., teacher, Butte, Mont.; Frank Morford, Q. M. Sergt., baker, Butte, Mont.; Thos. J. Bordeaux, Sergt., collector, Butte, Mont.; Albert H. Doud, Sergt., engineer, Butte, Mont.; Geo. Hunter, Sergt., photographer, Butte, Mont.; John J. McLane, Sergt., fireman, Butte, Mont.; John V. Lemon, Corp., miner, Butte, Mont.; Marvin B. Sipple, Corp., millman, Butte, Mont.; Jos. H. Williams, Corp., letter carrier, Butte, Mont.; Walter G. Tucker, Corp., accountant, Butte, Mont.; Frank E. Kennedy, Corp., salesman, Basin, Mont.; Wm. H. Yost, Corp., electrician, Butte, Mont.; Louis S. Hoffman, cook, merchant, Butte, Mont.; Chas. Bayer, musician, miner, Butte, Mont.; Harry M. Paxson, musician, student, Butte, Mont.; Wm. J. Borthwick, artificer, blacksmith, Butte, Mont.

Privates: Jas. E. Anderson, fireman, Butte, Mont.; Hayes C. Axtell, telegr. operator, Basin, Mont.; Lewis C. Bartholomew, carpenter, Salesville, Mont.; Frank E. Beland, carpenter, Butte, Mont.; Wm. J. Boast, teamster, Butte, Mont.; Chas. J. Byers, teamster, Butte, Mont.; John T. Carter, miner, Butte, Mont.; Guy N. Churchill, clerk, Butte, Mont.; Jas. T. Coleman, bricklayer, Butte, Mont.; John P. Daily, traveling-man, Butte, Mont.; Geo. W. Elliott, miner, Butte, Mont.; Robt. B. Hall, traveling-man, Butte, Mont.; Chas. M. Hewitt, miner, Basin, Mont.; Jas. W. Kennedy, city officer, Walkerville, Mont.; Chas. J. Kinseth, traveling-man, Butte, Mont.; Fred E. Mershon, barber, Butte, Mont.; Fred J. Prince, millman, Butte, Mont.; John R. Ross, blacksmith, Butte, Mont.; Christ. R. Schweitzer, plumber, Butte, Mont.; Samuel M. Shields, journalist, Butte, Mont.; Louis Vanderhook, clerk, Butte, Mont.; Wm. R. Van Orden, clerk, Lewiston, Utah; Gomer Williams, assayer, Butte, Mont.

Discharged.

Edgar S. Paxson, 1st Lieut., Butte, Mont., artist, resigned, December 2, 1898.

Byron J. McIntire, 1st Lieut., Manila, P. I., lawyer, by order, August 19, 1899.

Ernest V. D. Murphy, 2nd Lieut., Manila, P. I., accountant, by order, July 16, 1899. Re-enlisted first lieutenant Thirty-seventh U. S. V.

Albert J. Erickson, 1st. Sergt., Manila, P. I., soldier, by order, July 1, 1899. Re-enlisted captain Thirty-seventh U. S. V.

J. T. McCluskey, Q. M. Sergt., Manila, P. I., carpenter, by order, August 18, 1899.

Jos. A. Proulx, Corp., Butte, Mont., blacksmith, disability, Jan. 23, 1899.

Wm. G. Watson, wagoner, Manila, P. I., engineer, by order, August 18, 1899.

Fred D. Abbott, Butte, Mont., cook, disability, March 15, 1899.

Delos D. Babcock, Butte, Mont., miner, disability, July 12, 1899.

Guy Bellenger Manila, P. I., bookkeeper, by order, July 1, 1899. Re-enlisted Thirty-seventh U. S. V.

Edgar B. Benware, Manila, P. I., butcher, by order, August 18, 1899.

Ray M. Calkins, Manila, P. I., clerk, by order, August 6, 1899.

Adelard N. Dussault, Manila, P. I., teamster, by order, August 18, 1899.

Wm. H. Fifer, Manila, P. I., salesman, by order, August 18, 1899.

Wm. W. Garver, Ilo Ilo, P. I., stenographer, by order, February 7, 1899.

Geo. Gibson, Manila, P. I., miner, by order, August 18, 1899.

Wm. Hardcastle, Butte, Mont., stenographer, by order, August 31, 1899.

Jos. Hervey, Manila, P. I., printer, by order, August 18, 1899.

Wm. Holmes, Manila, P. I., miner, by order, August 18, 1899.

Theo. E. Manchester, Butte, Mont., salesman, disability, June 17, 1899.

Wm. H. McCarty, Manila, P. I., stone-cutter, by order, August 18, 1899.

Samuel McDonald, Manila,; P. I., paper-hanger, by order, August 18, 1899.

Wilbur J. McKee, Manila, P. I., clerk, by order, August 18, 1899.

John T. McLaughlin, Manila, P. I., blacksmith, by order, August 18, 1899.

Wm. McLean, Manila, P. I., miner, by order, July 27, 1899. Re-enlisted Thirty-sixth U. S. V.

Jos. P. Meyers, Manila, P. I., cook, by order, August 18, 1899.

Martin N. Miller, Manila, P. I., miner, by order, August 18, 1899.

Karl J. Peterson, Butte, Mont., clerk by order, June 24, 1899.

Geo. B. Raymond, Butte, Mont., bookkeeper, disability, August 31, 1899.

Jos. S. Robinson, Butte, Mont., clerk, by order, August 18, 1899.

Walter A. Sherlock, Butte, Mont., student, disability, August 21, 1899.

Chas. E. Young, Butte, Mont., miner disability, June 20, 1899.

Geo. E. Young, Manila, P. I., miner, by order, July 1, 1899. Re-enlisted Thirty-seventh U. S. V.

Transferred.

Wm. C. Gardenshire, 2nd Lieut., Butte, Mont., traveling salesman, to 1st Lieut. Co., F, January 22, 1899; Wm. B. Knowlton, 2nd Lieut., Butte, Mont., accountant, to 1st Lieut. and Regl. Adj., January 23, 1899; Geo. W. King, Corp., Butte, Mont., medical student, to 2nd Lieut., Co. B, September 28, 1899; John C. Heilig, Butte, Mont., accountant, to Regl. Sergt. Major, May 1, 1898; Daniel A. McMillan, Butte, Mont., clerk, to Hospital Corps, July 7, 1898; Alex. G. Ralston, Butte, Mont., student, to Hospital Corps, July 7, 1898; Homer C. Richards, Butte, Mont., clerk, to 2nd Lieut. Co. E, May 14, 1898; Claude H. Still, St. Paul, Minn., stenographer, to Co. C, Thirteenth Minnesota Infantry, June 11, 1898; Albert D. Tonkin, Butte, Mont., student, to Hospital Corps, June 23, 1898.

Wounded.

Hayes C. Axtell, wounded in both thighs at Tuliahan river, P. I., March 25, 1899; Wm. J. Borthwick, artificer, wounded in left arm at Caloocan, P. I., February 10, 1899; Delos D. Babcock, wounded in right ankle at Caloocan.

P. I., February 10, 1899; Wm. Boast, wounded in left knee near Malolos, P. I., April 4, 1899; Jas. W. Kennedy, wounded in right leg at Caloocan, P. I., February 10, 1899; Theo. E. Manchester, wounded in left hand and both legs at Caloocan, P. I., February 13, 1899; Wm. H. McCarty, wounded in left leg at Tulihan river, P. I., March 25, 1899; John T. McLaughlin, wounded in left hand near Bocaue, P. I., March 28, 1899; Jos. P. Meyer, wounded in right hip at Tulihan river, P. I., March 25, 1899; Karl J. Peterson, wounded in left shoulder at Caloocan, P. I., February 10, 1899; Geo. B. Raymond, wounded in left arm at San Fernando, P. I., May 24, 1899; Gomer Williams, wounded in left arm and breast at Tulihan river, P. I., March 25, 1899; Wm. H. Yost, wounded in left thigh near Meycauyan, P. I., March 27, 1899; Chas. E. Young, wounded in right hand at La Loma church, P. I., March 25, 1899.

#### Deserted.

John R. Moody, deserted at Silver Bow, Mont., May 25, 1898.

#### Dead.

Robt. Brown, died of wounds received in action at Tulihan river, P. I., March 26, 1899; Percy R. Lockhart, killed in action at Tulihan river, P. I., March 25, 1899; Edw. S. Moore, died of wounds received in action at Caloocan, P. I., February 28, 1899; Steve Stevens, died of wounds received in action at La Loma church, P. I., March 25, 1899.

#### CO. E—THIRD BATTALION.

Andrew Jensen, Capt., merchant, Great Falls, Mont.; Fred'k Bird, 1st Lieut., farmer, Dillon, Mont.; Homer G. Richards, 2nd Lieut. clerk, Butte, Mont.; Francis A. Johnston, 1st Sergt., teamster, Dillon, Mont.; Comas Nelson, Q. M. Sergt., liveryman, Dillon, Mont.; Fred M. Rogers, Sergt., painter, Butte, Mont.; Osborne McIntosh, Sergt., student, Dillon, Mont.; Albert S. Johnson, Sergt., barber, Dillon, Mont.; Robt. Robbins, Sergt., laborer, Dillon, Mont.; Harry Allen, Corp., operator,

Dillon, Mont.; Wellington M. Mace, Corp., engineer, Germantown, Pa.; Patrick F. Harrington, Corp., blacksmith, Butte, Mont.; Andrew L. Banks, Corp., farmer, Dillon, Mont.; John J. McDonald, Corp., engineer, Carroll, Mont.; Jas. P. Lenox, Corp., farmer, Dillon, Mont.; Wm. D. Brown, cook, farmer, Santian, Ore.; John H. McQuary, musician, painter, Milton, Ore.; Ernest H. Boyd, musician, laborer, Dillon, Mont.; Wm. F. Dudley, artificer, miner, Dillon, Mont.; Ernest Powell, wagoner, farmer, Whitehall, Mont.

Privates: Andrew Anderson, farmer, Fallim, Kas.; Geo. T. Banks, cook, Seabrook, Kas.; John L. Banks, farmer, Dillon, Mont.; Frank Borbridge, waiter, Rochester, Minn.; John Cavanaugh, miner, Hollingdale, Wis.; Ray S. Conger, painter, Dillon, Mont.; Dennis D. Doyle, miner, Butte, Mont.; Andrew Ehricks, carpenter, Butte, Mont.; James Enright, teamster, Butte, Mont.; Emil Feltman, farmer, Perry, Idaho; Ellis J. Fifer, fireman, Butte, Mont.; Richard Fielder, clerk, Red Rock, Mont.; Robt. Foster, fireman, Butte, Mont.; David E. Freeman, laborer, Lawrenceburg, Ind.; Paul Frisch, laborer, Billings, Mont.; Angelo A. Fyhrie, clerk, Dillon, Mont.; Geo. B. Graham, teacher, Holden, Mo.; Orin F. Grant, miner, Marseilles, Ill.; Robt. J. Gray, farmer, Dennison Mills, Quebec, Can.; John Hank, miner, Newton, Ill.; Jas. M. Harney, salesman, Galena, Ill.; Eberhard Herberlien, chemist, Great Falls, Mont.; David C. Hines, farmer, Gowere, Mo.; Chas. L. Huestis, miner, Cold Springs, Putnam Co., N. Y.; Wm. K. Ireland, miner, Butte, Mont.; Robt. Johnston, miner, Butte, Mont.; Henry Keyser, laborer, Dillon, Mont.; Albert S. Lloyd, laborer, Anacoda, Mont.; Ray H. Longwell, farmer, Blockton, Iowa; Eli Loucks, farmer, Newbridgeville, Pa.; John W. Lyons, miner, Wood River, Neb.; Thos. W. McConnon, bookkeeper, Peterson, N. Y.; Oscar McIntosh, laborer, Dillon, Mont.; Jas. C. Nedrow, teamster, St. Anthony, Idaho; Otto M. Olsen, laborer, Lone Walnut, Kas.; Martin Pendergast, miner, Butte, Mont.; Axel Peterson, laborer, Rawlins, Wyo.; Michael Phelan, miner,



Butte, Mont.; Chas. N. Robb, clerk, Gibbons, Neb.; Geo. W. Schulte, laborer, Dillon, Mont.; Edw. Sheser, clerk, Dillon, Mont.; John H. Selzer, miller, Lincoln, Neb.; John F. Sullivan, miner, Butte, Mont.; John S. Taylor, clerk, Dillon, Mont.; Nicholas Vincent, switchman, Butte, Mont.; Robt. A. Waddell, miner, Butte, Mont.; Guy W. Wade, laborer, Wadena, Iowa; Fred Walker, farmer, Amity, Ore.; Geo. D. Wenceslaw, miner, Butte, Mont.; Earl V. Williamson, butcher, Sacramento, Cal.; John W. Wynes, laborer, Chappell, Neb.; Geo. W. Zeigler, clerk, Toledo, Ohio.

#### Discharged.

Lorenzo Cushing, Sergt., Dillon, Mont., clerk, disability, November 11, 1898.

Rich'd Wells, Sergt., Manila, P. I., assayer, by order, August 20, 1899.

Walter M. Powers, Corp., Dillon, Mont., student, by order, August 31, 1899.

Harry Chamberlain, Manila, P. I., painter, by order, August 20, 1899.

Wilfred Chetelle, Manila, P. I., miner, by order, July 11, 1899. Re-enlisted Thirty-sixth U. S. V.

Harry C. Falls, U. S. A., transport, engineer, by order, October 8, 1898.

Wm. Leaton, Manila, P. I., miner, by order, August 20, 1899.

Wm. P. Mulcahy, Manila, P. I., electrician, by order, August 20, 1899.

Jens Nelson, Manila, P. I., clerk, by order, August 20, 1899.

#### Transferred.

Geo. W. Crowell, Sergt., Dillon, Mont., clerk, to Regimental Band, September 10, 1898; Alfred Cashmore, Dillon, Mont., painter, to Regimental Band, June 6, 1898; John F. Pearson, Butte, Mont., butcher, to Regimental Band, June 6, 1898.

#### Promoted.

Chas. H. Virden, 1st Sergt., Dillon, Mont., carpenter, to 2nd Lieut., Co. C, 1st Mont. August 17, 1899.

#### Wounded.

Andrew Jensen, Capt., wounded in right forearm, near Apalit, P. I., April 27, 1899; Wm. F. Dudley, artificer, wounded in right leg at Caloocan, P. I., February 17, 1899; Geo. T. Banks, wounded in right arm at La Loma church, P. I., March 25, 1899; John Cavanaugh, wounded in neck at Tuliahan river, P. I., March 25, 1899; Jas. Enright, wounded in chest at La Loma church, P. I., March 25, 1899; Jas. P. Lenox, Corp., wounded in right knee, near Bocaue, P. I., March 28, 1899; John H. McQuary, musician, wounded in chest at Tuliahan river, P. I., March 25, 1899; Axel Peterson, wounded in right forearm, near Bocaue, P. I., March 28, 1899; Chas. N. Robb, wounded in right thigh at San Fernando, P. I., June 16, 1899.

#### CO. M—THIRD BATTALION.

John Hallahan, Capt., liquor dealer, Anaconda, Mont.; Arthur O'Leary, 1st Lieut., student, Anaconda, Mont.; Archibald Logan, 2nd Lieut., stenographer, Helena, Mont.; Edward L. Hanlon, 1st Sergt., bookkeeper, Anaconda, Mont.; Swift D. Hunter, Q. M. Sergt., assayer, Anaconda, Mont.; William Reilly, Sergt., trainer, Anaconda, Mont.; Philip McDonnell, Sergt., butcher, Anaconda, Mont.; James O'Leary, Sergt., laborer, Anaconda, Mont.; Peter Brackman, Sergt., laborer, Anaconda, Mont.; Charles B. Buck, Corp., teacher, Anaconda, Mont.; Thomas Donnelly, Corp., laborer, Anaconda, Mont.; Jacob L. Schiffman, Corp., dyer, Anaconda, Mont.; James O'Donnell, Corp., laborer, Anaconda, Mont.; George C. Downing, Corp., teamster, Anaconda, Mont.; Ole T. Onarheim, Corp., bartender, Anaconda, Mont.; Andrew S. Jensen, cook, laborer, Anaconda, Mont.; Guy W. Hankins, musician, barber, Anaconda, Mont.; George L. Spier, musician, laborer, Anaconda, Mont.; James Haughey, artificer, laborer, Anaconda, Mont.; Barney O'Neill, wagoner, laborer, Anaconda, Mont.

Privates: Daniel P. Boyle, miner, Butte, Mont.; John Brooks, laborer, Butte, Mont.;

Fred M. Cain, laundryman, Anaconda, Mont.; Joseph C. Callaghan, miner, Butte, Mont.; James Casey, laborer, Anaconda, Mont.; Patrick Doherty, laborer, Anaconda, Mont.; Dominick Dougherty, laborer, Anaconda, Mont.; Thomas Eaton, laborer, Hull, England; William E. Edwards, coremaker, Anaconda, Mont.; William P. Fisher, brakeman, Marquette, Mich.; Jesse H. Getchell, fireman, St. Paul, Minn.; Thomas J. Gorman, laborer, Anaconda, Mont.; Byron Griffin, painter, Anaconda, Mont.; Frank C. Hamill, bricklayer, Anaconda, Mont.; William H. Hamly, laborer, Anaconda, Mont.; Michael Henry, laborer, Helena, Mont.; Bart N. Kennedy, clerk, Anaconda, Mont.; Robert W. McCulloch, brakeman, Anaconda, Mont.; Adolph Mehofer, brickmaker, Anaconda, Mont.; Cornelius O'Connor, stonemason, Anaconda, Mont.; James H. O'Neill, laborer, Anaconda, Mont.; Alfred Ouillet, laborer, Anaconda, Mont.; Morton S. Railey, clerk, Anaconda, Mont.; Charles L. Rice, cook, Anaconda, Mont.; John E. Robinson, laborer, Anaconda, Mont.; Charles Rogers, laborer, Anaconda, Mont.; Thomas Ryan, fireman, Anaconda, Mont.; Floyd Shipman, fireman, Anaconda, Mont.; Carl A. Steinmetz, jeweler, Helena, Mont.; Gustav J. Tente, laborer, Anaconda, Mont.

#### Discharged.

S. A. J. Dorn, first lieutenant, Helena, Mont., accountant, resigned, July 2, 1899; Gerald Sullivan, second lieutenant, Anaconda, Mont., policeman, by order, January 6, 1899; George Deis, quartermaster sergeant, Manila, P. I., butcher, by order, August 19, 1899; Martin O'Shea, sergeant, Manila, P. I., miner, by order, August 19, 1899, re-enlisted Thirty-sixth U. S. V.; Florence W. Condon, corporal, Manila, P. I., laborer, by order, August 18, 1899, re-enlisted Thirty-sixth U. S. V.; Robert A. Dodson, corporal, Manila, P. I., laborer, by order, August 19, 1899; William S. Lincoln, corporal, Manila, P. I., laborer, by order, August 19, 1899; James Noonan, corporal, Manila, P. I., laborer, by order, July 1, 1899, re-enlisted Thirty-sixth U. S. V.; Charles F.

Bateman, Manila, P. I., laborer, by order, July 29, 1899, re-enlisted Thirty-sixth U. S. V.; John L. Brooks, Manila, P. I., laborer, by order, August 19, 1899; William J. Cheastey, Manila, P. I., laborer, by order, August 19, 1899, re-enlisted Eleventh Cavalry; Alfred P. Daily, Anaconda, Mont., laborer, by order, February 2, 1899; Anton Dall, Manila, P. I., laborer, by order, August 19, 1899, re-enlisted Thirty-sixth U. S. V.; Edwin J. Godahl, Manila, P. I., laborer, by order, August 19, 1899, re-enlisted Thirty-seventh U. S. V.; Wm. E. Hall, Manila, P. I., laborer, by order, July 29, 1899, re-enlisted Thirty-sixth U. S. V.; John Hendrickson, Manila, P. I., miner, by order, August 19, 1899, re-enlisted Thirty-seventh U. S. V.; Wm. A. Hill, Manila, P. I., engineer, by order, August 20, 1899; Patrick H. Holland, Anaconda, Mont., millman, by order, December 2, 1898; Frederick P. Hudson, Manila, P. I., machinist, by order, August 19, 1899; Henry Jebe, Anaconda, Mont., butcher, disability, September 13, 1898; Frank Landreman, Anaconda, Mont., laborer, by order, August 18, 1899; Hugh McKenzie, Manila, P. I., electrician, by order, August 19, 1899; Frank Mills, Manila, P. I., laborer, by order, July 1, 1899, re-enlisted Thirty-sixth U. S. V.; Chas. P. Monroe, Manila, P. I., miner, by order, August 19, 1899; Bevan Montague, Manila, P. I., clerk, by order, August 19, 1899; John Smith, Manila, P. I., waiter, by order, August 19, 1899.

#### Transferred.

Byron Conrad, first lieutenant, Manila, P. I., lawyer, to second lieutenant, Eighteenth Infantry, U. S. A., September 1, 1898; Alfred M. Finley, Manila, P. I., sailor, to Company H, June 7, 1898; Rudolph Herbst, Great Falls, Mont., nurse, to Hospital Corps, June 18, 1898; Fred. Johnson, Helena, Mont., tel. operator, to Signal Corps, March 17, 1899.

#### Wounded.

Jas. O'Leary, sergeant, wounded in right shoulder, at Calumpit, P. I., April 26, 1899; Barney O'Neill, wagoner, wounded in right

leg at San Fernando, P. I., May 24, 1899; Jos. Callaghan, wounded in left side at Caloocan, P. I., February 10, 1899; Wm. J. Cheas-  
 tey, wounded in right hand, at Caloocan, P. I., February 28, 1899; Frank Landreman, wounded in chest, near Malolos, P. I., April 4, 1899; Frank Mills, wounded in right hand, at San Fernando, P. I., May 24, 1899; John E. Robinson, wounded in right arm, at La Loma Church, P. I., March 25, 1899.

#### Dead.

Harry Archibald, died of typhoid fever, at Manila, P. I., January 6, 1899; John J. Campbell, died of wounds received at Caloocan, P. I., February 16, 1899; William Meitschke, killed in action at Tuliahan river, P. I., March 25, 1899; Charles A. Murphy, killed in action, at Calumpit, P. I., April 27, 1899; David Silver, died of wounds received in action, at San Fernando, P. I., June 3, 1899. John A. Saxton died of typhoid fever at Manila, P. I., June 3, 1899.

#### ROSTER OF MONTANA SIGNAL CORPS VOLUNTEERS.

Geo. H. Tilly, lieutenant,<sup>1</sup> telegrapher, Helena, Mont.; W. E. Davies, lieutenant, telegrapher, Butte, Mont.; A. N. Maxeiner, sergeant, telegrapher, Butte, Mont.; E. R. Fisher, sergeant, electrician, Helena, Mont.; W. P. Boulter, sergeant, telegrapher, Havre, Mont.; F. T. Brooks, corporal, electrician, Butte, Mont.; W. F. Schwandt, corporal, telegrapher, Helena, Mont.; M. C. G. Ives, corporal, telegrapher, Helena, Mont.; Patrick Leo, corporal, telegrapher, Great Falls, Mont.; Charles Gable, corporal, telegrapher, Great Falls, Mont.; George Crooks, corporal, telegrapher, Clancy, Mont.; Thos. Leahy, corporal, cook, Bozeman, Mont.; Edward Gangley, private, telegrapher, Woodville, Mont.; R. M. Ruter, private, telegrapher, Butte, Mont.; J. E. Davis, private, telegrapher, Clancy, Mont.; J. W. MacCurdy, private, telegrapher, Logan, Mont.; J. W. Steiner, private, cook, Helena, Mont.

<sup>1</sup> Promoted to Captain. Addresses given were addresses at date of muster in.





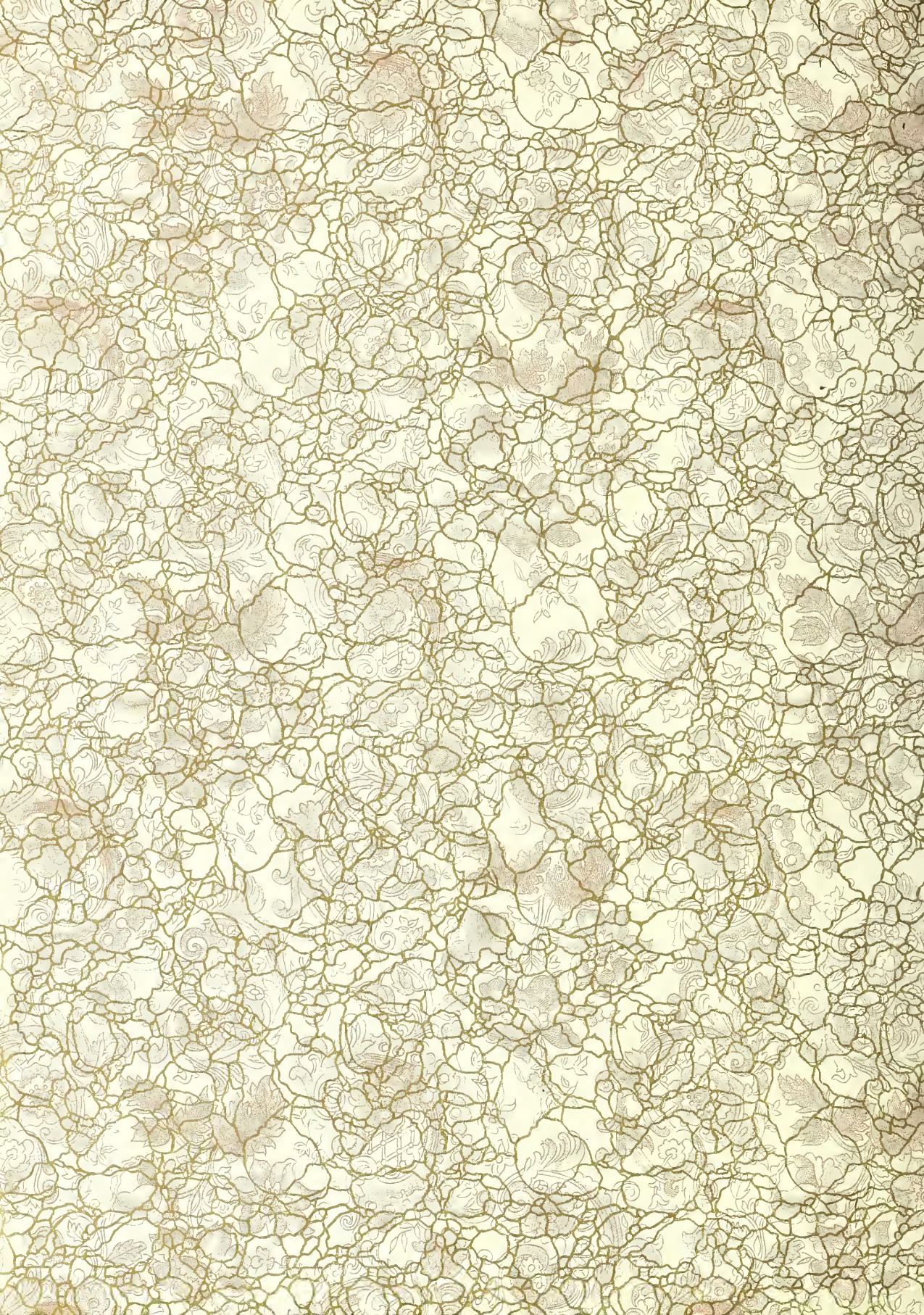


















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